



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Singletary Commercial Planned Development

Request: Rezone from: AG-2 To: CPD

Type: ☒ Major PD ☐ Minor PD ☐ DRI w/Rezoning ☐ PRFPD
☐ Major PD Amendment ☐ Minor PD Amendment

Bonus Density included? ☐ NO ☐ YES¹ for: _____ Bonus Units

¹ If **YES**, submit additional fee required by LDC 2-147(A)(3)

Summary of Project:

Rezoning for approximately 16.81 acres to permit up to 210,000 square feet of commercial development with 100,000 SF as indoor warehouse and 110,000 SF of commercial uses.

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: Steve R. Singletary

Address: 18200 State Road 31

City, State, Zip: Alva, FL 33920

Phone Number: _____

E-mail Address: Bayshorefarms93@gmail.com

B. Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:

☒ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]

☐ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]

☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(a)(4)]

1. Company Name: Sage Entitlements, LLC

Contact Person: Tina M. Ekblad, MPA, AICP

Address: 97 Nickajack N.

City, State, Zip: Santa Rosa Beach, FL 32459

Phone Number: 561-797-0288

Email: tekblad@sageentitlements.com

2. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-202(a)(4)]

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

PART 2 PROPERTY OWNERSHIP

A. Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-202(a)(2)]

Name: Richard Stephen Singletary and Heidi Lynn Singletary

Address: 18200 State Road 31

City, State, Zip: Alva, FL 33920

Phone Number: _____ Email: Bayshorefarms93@gmail.com

B. Disclosure of Interest [34-202(a)(2)]:

☒ Attach [Disclosure of Interest](#) Form.

C. Multiple parcels:

☐ Property owners list. [34-202(a)(8)]

☐ Property owners map. [34-202(a)(8)]

D. Certification of Title and Encumbrances [34-202(a)(7)]

1. Title certification document, no greater than 90 days old.

2. Date property was acquired by present owner(s): January 7, 2016

PART 3 PROPERTY INFORMATION

A. STRAP Number(s): [Attach extra sheets if additional space is needed.] [34-203(a)(5)]

18-43-26-00-00001.0060

B. Street Address of Property: 18200 State Road 31

C. Legal Description (must submit) [34-202(a)(5)]:

☒ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

OR

☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(6)]:

☒ A Boundary survey, tied to the state plane coordinate system.

OR

☐ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

D. Surrounding property owners (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. ☒ List of surrounding property owners. [34-202(a)(9)]

2. ☒ Map of surrounding property owners. [34-202(a)(9)]

3. ☒ One set of mailing labels. [34-202(a)(9)]

Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.

E. Current Zoning of Property: AG-2

☐ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property.

F. Use(s) of Property:

1. Current uses of property are: Single Family Residence

2. Intended uses of property are: Commercial

G. Future Land Use Classification (Lee Plan):

Outlying Suburban	<u>16.81</u>	Acres	<u>100</u>	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>±580</u>	Feet		
2. Depth (average if irregular parcel):	<u>±1,288</u>	Feet		
3. Total area:	<u>16.81</u>	Acres		
4. Frontage on road or street:	<u>580</u>	Feet on	<u>State Road 31</u>	Street
2 nd Frontage on road or street:		Feet on		Street

I. Planning Communities/Community Plan Area Requirements: If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session.

- ☐ Not Applicable
☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
☐ North (Upper) Captiva Community Plan area. [33-1711]
☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
☐ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 21.6.3]
☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
☐ North Fort Myers Planning Community. [33-1532(a)&(b)]
☒ North Olga Community Plan area. [33-1663(a)&(b)]

J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-201(c)]

PART 4
TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)		<u>16.81</u>	Acres
1. Submerged land subject to tidal influence		<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>3.78</u>	Acres	
b. Impacted wetlands	<u>.35</u>	Acres	
c. Preserved saltwater wetlands	<u>N/A</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		<u>4.13</u>	Acres
3. R-O-W providing access to non-residential uses		<u>1.20</u>	Acres
4. Non-residential use areas ^{(1) (2)}		<u>11.83</u>	Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		<u>16.81</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		<u>0</u>	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland			Acres
b. Intensive Development – preserved freshwater wetlands			Acres
c. Intensive Development – impacted wetlands			Acres
2. a. Central Urban – upland			Acres
b. Central Urban – preserved freshwater wetlands			Acres
c. Central Urban – impacted wetlands			Acres
3. a. Urban Community or Suburban – upland			Acres
b. Urban Community or Suburban – preserved freshwater wetlands			Acres
c. Urban Community or Suburban – impacted wetlands			Acres

4.	a.	Suburban – upland	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	_____	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Outlying Suburban – impacted wetlands	_____	Acres
6.	a.	Sub-Outlying Suburban – upland	_____	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	_____	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	_____	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	Acres
	b.	Open Lands – wetlands	_____	Acres
9.	a.	Resource – upland	_____	Acres
	b.	Resource – wetlands	_____	Acres
10.	a.	Wetlands	_____	Acres
11.	a.	New Community – upland	_____	Acres
	b.	New Community – wetlands	_____	Acres
12.	a.	University Community – upland	_____	Acres
	b.	University Community – wetlands	_____	Acres
13.	a.	Coastal Rural – upland	_____	Acres
	b.	Coastal Rural – wetlands	_____	Acres

TOTAL (should equal “C” above)

N/A **Acres**

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay {see Note (2) below}.
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations {see Lee Plan Objective 4.3}.
- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

PART 5 RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

- i. Complete only if living units are proposed in a Future Land Use Category.
- ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.
- iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Future Land Use Category: _____

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
	a. Total upland acres (from Part 4, D.)	_____ x _____	equals	_____
	b. Total preserved freshwater wetlands acres (from Part 4, D.)	_____ x _____	equals	_____
	c. Total impacted wetlands acres (from Part 4, D.)	_____ x _____	equals	_____
	d. Total Allowed Standard Units ⁽¹⁾			N/A
2.	Bonus Units [2-143]			
	a. Site-built Affordable Housing			_____
	b. Transferrable Dwelling Units			_____
	c. Sub-total			_____
3.	Total Permitted Units ⁽¹⁾			N/A

Note:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

PART 6
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
PRELIMINARY INTENSITY CALCUATIONS

		Height	Total Floor Area (Square Feet)
A. Commercial			
1.	Medical	_____	_____
2.	General Office	_____	_____
3.	Retail	_____	110,000 SF
4.	Other: <u>Mini-warehouse</u>	_____	100,000 SF
5.	TOTAL FLOOR AREA		210,000 SF
B. Industrial			
		Height	Total Floor Area (Square Feet)
1.	Under Roof	_____	_____
2.	Not Under Roof	_____	_____
3.	TOTAL FLOOR AREA		N/A
C. Mining			
		Depth	Total Acres
1.	Area to be excavated	_____	N/A
D. Assisted Living Facilities			
		Height	Total Beds/Units
1.	Dependent Living Units	_____	_____
2.	Independent Living Units	_____	_____
3.	TOTAL BEDS/UNITS		N/A
E. Hotels/Motels (Room Size)			
		Height	Total Rental Units
1.	< 425 sq. ft.	_____	_____
2.	426-725 sq. ft.	_____	_____
3.	725 < sq. ft.	_____	_____
4.	TOTAL UNITS		N/A

PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. **[34-373(a)(5)]**
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. **[34-373(a)(7)]**
- C. Master Concept Plan:**
- Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)]**
 - Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. **[34-373(a)(8)]**

3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. **[34-373(a)(9)]**

D. Bonus Density: [34-202(a)(11)]

- ☒ Not Applicable
☐ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

PART 8 ENVIRONMENTAL REQUIREMENTS

- A. Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. **[34-373(a)(4)b.iv.]**
The Property has little elevation change. Lee County data demonstrates the portion of the parcel fronting SR 31 has an elevation of 4 to 2.5 feet and the rear 1.5 to .8 feet.
-
- B. Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
See attached Environmental Assessment
-
- C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
See attached Environmental Assessment, Project Narrative and Master Concept Plan
-
- D. Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
N/A
-
- E. Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. **[34-373(a)(4)b.i.]**
- F. FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. **[34-373(a)(4)c.]**
- G. Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. **[34-373(a)(4)b.iii.]**
- H. Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. **[34-373(a)(4)b.v.]**

PART 9 SANITARY SEWER & POTABLE WATER FACILITIES

- A. Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
N/A
-
- B. Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
N/A
 2. Quality of the effluent:
N/A

3. Expected life of the facility:

N/A

4. Who will operate and maintain the internal collection and treatment facilities:

N/A

5. Receiving bodies or other means of effluent disposal:

N/A

C. Spray Irrigation: If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

N/A

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

PART 10 ADDITIONAL REQUIREMENTS

A. Major Planned Developments:

1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). **[34-373(b)(1)]**
2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. **[34-373(b)(2)]**

B. Amendments to Built Planned Developments: The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. **[34-373(c)]**

C. Development of Regional Impact: Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(9)]**

D. Private Recreational Facility Planned Developments (PRFPDs):

1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)(1)]**
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1]**
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**
4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. **[34-941(e)(5)f.iii.]**

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. **[34-941(g)(2)]**
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. **[34-941(g)(4)]**
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) **[34-202(a)(10)]**
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) **[34-202(a)(10)]**
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." **[34-202(a)(12)]**
- G. **Flood Hazard:**
- ☐ Not applicable
- ☒ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☐ The minimum elevation required for the first habitable floor is _____ NAVD (MSL)
- H. **Excavations/Blasting:**
- ☐ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities: [12-110(a)(16)]**
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park: [34-174(h)]**
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: **[34-1104]**
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. **[34-1105]**
- ☐ Property is located within Airport Residential and Educational Protection Zone: **[34-1106]**
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1107]**
- ☐ A Tall Structures Permit is required. **[34-1108]**

PART 5
SUBMITTAL REQUIREMENT CHECKLIST

Clearly label your attachments as noted in bold below

Copies Required		SUBMITTAL ITEMS
3	☒	Completed application for Public Hearing [34-202(a)(1)]
1	☐	Filing Fee - [34-201(d)]
1	☐	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	☒	Affidavit of Authorization (notarized) Form [34-202(a)(3)]
3	☒	Additional Agents [34-202(a)(4)]
3	☐	Multiple Owners List (if applicable) [34-202(a)(2)]
3	☒	Disclosure of Interest Form (multiple owners) [34-202(a)(2)]
3	☒	Legal description (must submit) [34-202(a)(5)]
	☐	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	☐	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	☒	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	☐	Property Owners list (if applicable) [34-202(a)(8)]
3	☐	Property Owners map (if applicable) [34-202(a)(8)]
3	☐	Confirmation of Ownership/Title Certification [34-202(a)(7)]
3	☐	STRAP Numbers (if additional sheet is required) [34-202(a)(5)]
1	☒	List of Surrounding Property Owners [34-202(a)(9)]
1	☒	Map of Surrounding Property Owners [34-202(a)(9)]
1	☒	Mailing labels [34-202(a)(9)]
3	☐	List of Zoning Resolutions and Approvals
3	☐	Summary of Public Informational Session (if applicable)
3	☐	Waivers from Application Submission Requirements (if applicable) [34-201(c)]
3	☐	Preliminary Density Calculations (if applicable)
3	☒	Request Statement [34-373(a)(5)]
3	☒	Traffic Impact Statement (TIS) (not required for existing development) [34-373(a)(7)]
3	☒	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	☒	Schedule of Uses [34-373(a)(8)]
3	☒	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	☒	Topography (if available) [34-373(a)(4)b.iv.]
3	☒	Soils Map [34-373(a)(4)b.9.]
3	☒	FLUCCS Map [34-373(a)(4)c.]
3	☐	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	☐	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	☐	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	☐	Phasing Program (if applicable) [34-373(b)(3)]
3	☒	Protected Species Survey (if applicable) [34-373(b)(2)]
3	☐	Proof of Notice (if applicable) [34-373(c)]

3	☐	Binding Letter from DCA (if applicable) [34-373(d)(9)]
3	☐	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	☐	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1)]
3	☐	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	☐	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	☐	Environmental Assessment (if applicable) [34-941(g)(2)]
3	☐	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	☒	Potable Water & Sanitary Sewer. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(a)(10)]
3	☐	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
3	☐	Information Regarding Proposed Blasting (if applicable).
3	☐	Hazardous Materials Emergency Plan (if applicable)
3	☐	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)]
3	☐	Tall Structures Permit (if applicable) [34-1108]

Tina M. Ekblad, MPA, AICP
(561) 797-0288
tekblad@sageentitlements.com



March 20, 2025

Via Electronic Delivery

Mr. Adam Mendez
Principal Planner
Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: Insufficiency Response – DCI2024-00043 Singletary CPD

Dear Mr. Mendez,

The purpose of this letter is to provide a response to the Lee County Department of Community Development's review comments dated December 11, 2024, for the above referenced Planned Development Application. Since the initial submittal of the requested CPD, the applicant has revised the Master Concept Plan to incorporate additional compensatory storage and proposes to create wetland habitat adjacent to the natural waterway to exceed the required buffer standard. Other notes and corrections have been incorporated as outlined in the responses below. Additionally, the two required community meetings were held with minimal attendance.

We believe that the responses below and revised application materials address the comments appropriately. It is understood that a site visit needs to be conducted. Please note the property subject to the application is a personal residence and we respectfully request site visits be coordinated with the property owner or agent in advance. We appreciate the coordination and assistance from Staff over the past few months related to this application and welcome additional calls and emails that will help us address all the comments in an efficient manner.

Zoning

1. Utility Availability. Staff is in receipt of the letter of availability provided, which indicates the property is not located in the LCU potable water franchise area. The letter further specifies the project will consist of "two commercial units." Please request a revised letter from Lee County Utilities indicating the subject property is within the potable water franchise service area (consistent with Lee Plan Map 4-A) and to specify the proposed intensity parameters, 110k office/retail and 100k mini-warehouse, in lieu of two commercial units.

Response: Please see the attached revised Letter of Availability.

2. Maps of Existing Conditions. LDC Section 34-373(a)(4)b. requires maps, drawn at the same scale as the master concept plan, marked or overprinted to show the nature and location of any known or recorded historical or archaeological sites as listed on the Florida Master Site File or the Lee County Historical Site Survey, and the location of any part of the property

that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22. See the Lee County Graphic Information System (GIS) Data Explorer, Archaeological Sensitivity sublayer under Planning. Please provide a copy for the application file.

Response: Please see the attached Archaeological Sensitivity Map demonstrating the property is within a Level 2 zones of sensitivity.

3. Master Concept Plan. The Master Concept Plan (MCP) should identify the following minimum information pursuant to LDC Section 34-373(a)(6):

- a. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions.

Response: The applicant notes this comment. Text has been added to the MCP that all the design and location of service and delivery areas must be provided with the Development Order application. Due to the conceptual nature of the Master Concept Plan and the variety of commercial uses proposed, it is not feasible to accurately locate service areas at this time.

- b. The location and explanation of all existing easements, whether or not those easements are recorded. If an easement is based upon a recorded document, the official records book reference must be stated. *Power poles extending onto adjacent property are depicted within the north boundary of the subject property according to the Boundary Survey provided. Please confirm the power poles are not encumbered in a utility easement, or revise the Boundary Survey and Master Concept Plan to depict any existing easement.*

Response: Please see the revised Boundary Survey and Master Concept Plan.

4. Schedule of Uses/Development Summary.
 - A. LDC Section 34-373(a)(8) requires a maximum number of beds associated to the following proposed uses: **Health Care Facilities**, Groups I & II and **Social Services**, Group III.
 - B. **Bus Station/Depot**: How does this use fit within the requested development intensity parameters? Also, see Planning Comment #3 below.
 - C. **Essential Services Group II**: The use activity group includes several types of facilities, please specify intended uses and parameters.

Response: These uses have been eliminated from the attached revised schedule of uses.

5. Deviations. See the Development Services Comment #2 and Transportation Comment #1 below.

Response: A deviation has been added to permit a single ingress/egress to SR 31.

Development Services

6. LDC Section 34-373(a)(6)b. requires the Master Concept Plan (MCP) to depict the general location of all proposed internal street rights-of-way or easements and the general location of all points of vehicular ingress and egress from the proposed internal rights-of-way or

easements into multiple-family, commercial, or industrial use lots. Please revise the MCP to depict all points of vehicular ingress and egress from internal tracts/lots.

Response: Conceptual access to each internal tract has been identified on the MCP with a note that adjustments can be made at the time of Development Order.

7. More Than One Means of Ingress/Egress. Pursuant to LDC Section 10-291(3), commercial or industrial development of more than ten (10) acres must provide more than one means of ingress or egress for the development unless a deviation is granted through this public hearing process.

Response: The Property fronts SR 31, as a result all future driveways are required to be permitted through the Florida Department of Transportation. It is unlikely, FDOT will permit two access points for the Property. A deviation has been added to the Master Concept Plan and incorporated into the attached revised Schedule of Deviations.

8. Are the proposed "Tracts" on the Master Concept Plan intended to be subdivided lots? LDC Section 34-373(a)(6)c. requires the MCP to indicate the general location, configuration, and approximate dimensions of the lots or parcels (including subdivided parcels and outparcels). The proposed use of the lots or parcels must be keyed to the list of proposed uses submitted with the application.

Response: A Schedule of Uses with Property Development Regulations for minimum lot size was included in the application materials and was appropriately keyed to both Master Concept Plans. Additionally, the Master Concept Plan provides dimensions for each proposed tract, which can be developed with any of the uses listed in the Schedule if this CPD is approved and after Development Order review. Revised copies of both are provided for reference.

9. Courtesy Comment: LDC Section 10-256(b)(2) requires sidewalks on both sides of all internal streets for new non-residential developments, which must extend from intersection to intersection.

Response: The applicant notes this comment.

Environmental

10. The request to deviate from landscaping standards along the southerly property line does not demonstrate how the proposed alternate standard adequately buffers abutting and adjacent residential uses (across the off-site private easement strip) from commercial activity on proposed abutting tract. Please provide further justification that demonstrates how the proposal is consistent with the general intent of the landscape buffer standard. Staff notes that the current deviation request language is aimed at the southerly boundary, however, the proposed MCPs depict the same deviation marker along the northern boundary line, where the project interfaces with the residential/preservation areas of the abutting planned development approval.

Staff recommends a meeting to discuss the landscaping deviation strategy moving forward for these areas, as well as areas where the MCPs indicate the proposed onsite preserve exceeds minimum buffer requirements.

Response: Pursuant to the meeting with Lee County Staff on January 6, 2025, the Master Concept Plan and Schedule of Deviations has been revised to address the required buffers.

A deviation continues to be requested for the southerly property boundary to permit a Type D instead of Type F buffer. Ultimately, this request will eliminate the required wall of a Type F buffer and permit the hedge row to be maintained at a lower height. The existing residential south of the drainage easement aligns with the proposed indigenous preservation and will not be negatively impacted by the request.

11. Please provide a separate open space exhibit and chart to demonstrate open space is 30 percent of the total acreage of the entire site.

Response: Please see the attached revised Master Concept Plan, the second sheet provides the details related to Open Space requirements.

12. Pursuant to 33-1674 (4), every effort must be made to preserve Heritage Trees. Based on the provided environmental report, Heritage Trees might be found on site. Identify on the MCP those trees which meet the Heritage Tree definition.

Response: The applicant notes this comment. Due to the conclusions of the Environmental Report and the acknowledgement that “Heritage Trees might be found on site” the applicant respectfully requests that a condition requiring a tree survey for Heritage Trees be included to incorporate this requirement into the Development Order submittal. Draft language for such a condition is provided below for consideration.

Prior to Development Order approval, if found on-site, an effort will be made to preserve existing native heritage trees with at least a 20-inch caliper DBH. Preserved heritage trees may be counted at a 5:1 ratio towards the general tree requirement. If a heritage tree must be removed then a replacement native canopy tree with a minimum 20-foot height must be planted within an appropriate open space area. The replacement tree can only be counted at a 1:1 ratio towards meeting the general tree requirement.

13. The site is in the Coastal High Hazard Area. Pursuant to Lee Plan Policy 101.1.1, demonstrate how the proposed rezone is compatible with the natural systems, such as water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding.

Response: Please see the attached, revised Project Narrative.

The proposed site plan incorporates a minor impact to a .35 acre isolated wetland that is more than 75% infested with exotics and not utilized by listed species. Compensatory storage for the proposed impact within the CHHA is proposed and demonstrated on the MCP for .65 acres adjacent to the existing indigenous wetlands in

the northeastern portion of the property. Draft language for a condition ensuring the appropriate compensatory storage is provided as part of the Development Order is provided below for consideration.

Developer must depict the wetland creation area on development order plans and provide calculations that quantify the wetland's flood storage volume.

14. Staff identified a natural waterway on site that drains east to owl creek. Pursuant to LDC Sec. 10-416 (d) (9), development abutting a natural waterway must have a 50-foot-wide vegetative buffer.

Response: The approximate area of the natural waterway has been identified on the Master Concept Plan. The waterway is entirely within the proposed compensatory storage and wetland preserve area, therefore the required 50 ft buffer will be provided by the existing vegetation and proposed .35 acres of wetland creation associated with the compensatory storage.

15. The FLUCCS identified wetlands. Pursuant to Lee Plan Policy 101.3.2 and Objective 1.5, provide a jurisdictional 62-340 F.A.C., wetland delineation to either show work is restricted to uplands, or to provide an executed Environmental Resource Permit that mitigates impacts to wetlands.

Response: The proposed Master Concept Plan includes an impact to .35 acres of low quality, highly exotic infested wetland. Due to the wetland being less than a ½ acre in size and not utilized by listed species, no wetland mitigation is required or proposed. By impacting this exotic wetland the eastern 2.87 acres of indigenous wetland habitat and .91 acres on non-indigenous habitat will be restored. Compensating storage for the .35 acres of impact will be provided within the CHHA immediately adjacent to the proposed preservation area and is approximately .65 acres in size.

16. Lee Plan Policy 60.4.1 encourages new developments to design their surface water management systems with filtration marshes, grassed swales, and enlarged littoral zones. Lee Plan Policy 60.4.2 encourages incorporating existing wetlands into the stormwater design. Lee Plan Policy 60.4.3 encourages the preservation of existing natural flow-ways, and the restoration of historic flow-ways. Provide an analysis of the aforementioned policies to demonstrate compliance or revise.

Response: Please see the attached revised Project Narrative.

17. Indigenous plant communities are defined in LDC 10-1 and further described in LDC 10-701. The submitted environmental report did not provide the exotic descriptor values, and several plants included in the vegetation communities are exotic invasive species. Since the development is greater than five acres in size, abuts an arterial or collector road, and has existing native trees within 50-feet of the right-of-way. If a site inspection from staff confirms the site does not contain indigenous plant communities, then the project will be subject to conformance with LDC Section 10-415(b)b.4.

Response: Please see the attached revised FLUCCS maps that include exotic descriptor values.

Planning

18. Discussion of Cary+Duke+Povia in the analysis of surrounding properties of the Project Narrative incorrectly states that a concurrent FLU Map amendment was adopted in March of 2024. The concurrent Map amendment adopted in March of 2024 was an amendment to the Lee County Utilities Sewer Service Areas Map and Lee County Utilities Water Service Areas Map. Revise this analysis accordingly.

Response: Please see the revised Project Narrative.

19. Page 7, Paragraph 3 of the Project Narrative describes the indigenous preserve acting as a buffer to the single-family west of the property; however, the master concept plans show the indigenous preserve on the east side of the development. Update this to clarify which single-family development will be buffered by the indigenous preserve area.

Response: Please see the revised Project Narrative.

20. Please provide information of the two public information meetings which must be conducted in accordance with Lee Plan Policy 27.1.8.

Response: The two required public meetings were held March 18th and 19th respectively. Copies of the advertisements, sign in sheets, and meeting summary are attached for review.

21. Please Provide justification for the inclusion of “Freight and Cargo Handling Establishments”, “Processing and Warehousing”, “Storage, Open”, Transportation services, Group IV, and “Warehouse” within the analysis of Lee Plan Policy 1.1.6 in the Project Narrative. Include consideration of industrial uses not being permitted within the Outlying Suburban future land use category.

Response: The application has updated the Schedule of Uses to eliminate the uses described above, except Storage, Open and Warehouse. Both of these uses are permitted within the Community Commercial and General Commercial zoning districts, which are most similar to the requested CPD. Additionally, both uses have supplemental regulations regarding screening and setbacks to ensure compatibility and appropriate site design at the time of Development Order application.

Natural Resources

22. Please provide a written description of the Surface Water Management Plan that complies with LDC 34-373(b)(1).

Response: Please see the attached Surface Water Management Plan.

23. Please provide an analysis of Lee Plan policies 61.1.6, 61.3.2, 125.1.2, 125.1.4, 126.1.1, and 126.1.4.

Response: Please see the attached revised Project Narrative.

Transportation

24. Staff opines that the applicant's proposed Deviation #2 from LDC, Section 10-285, road connection separation requirements is unnecessary as applied to access along SR 31, since said access is solely subject to Florida Department of Transportation (FDOT) approval. Staff has in the past interpreted LDC, Section 10-285, to specifically apply to non-state-maintained roads and, thereby, defers to the FDOT to regulate proposed improvements within state-maintained road right-of-way.

Response: The applicant has withdrawn this deviation.

25. The application requests for 210,000 square feet of commercial uses for the project, but the TIS has 110,000 square feet of commercial uses and 100,000 square feet of indoor warehouse uses which the trip generation is much lower than the commercial uses. The applicant needs to change the uses in the application to consist with the uses in the TIS or the TIS is revised.

Response: The applicant has modified the project summary on the application form and notes the project narrative and TIS were previously consistent. The CPD request remains for 110,000 SF of commercial and 100,000 SF of indoor warehouse.

26. The LUC 821 is used for the trip generation of commercial uses, however LUC 820 pass-by is shown in the Table 4.

Response: Please see the transportation memo from TR Transportation attached.

27. Lee County Staff accepts the maximum pass-by rate is 30% for the LUC 821.

Response: Please see the transportation memo from TR Transportation attached.

28. Since the project's build-out year is 2027, the service volumes in the Table 1A shall be taken from FDOT District 1 Level of Service Spreadsheet, not from FDOT's Multimodal Q/LOS Handbook.

Response: Please see the transportation memo from TR Transportation attached.

29. The project traffic distributions on Figure 2 and Table 2A are not consistent. The Table 2A shows 70% project's traffic (out bound) goes to south of the site, but the Figure 2 shows only 59% (298 of 509) going to south. Please make a correction.

Response: Please see the transportation memo from TR Transportation attached.

30. The intersection of SR 31/SR 78 is a T-intersection which is without west bound traffic. The intersection LOS analysis shows WBL, WBT, EBT and NBR which does not exist.

Response: Please see the transportation memo from TR Transportation attached.

Legal

31. Please provide a legal description and sketch in accordance with the requirements of Lee County LDC §34-202(a)(5): The Document submitted is missing a sketch to accompany the description and is not signed and sealed by a Florida Licensed Surveyor.

Response: Please see the attached Legal Description.

32. Please provide a boundary survey of the subject property in accordance with the requirements of Lee County LDC §34-202(a): The boundary survey must identify and depict all easements affecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. No easements are shown on the document provided.

Response: Please see the attached Boundary Survey.

33. Please provide a title certification for the property subject to zoning approval in accordance with the requirements of Lee County LDC §34-202(a)(7): No form of title was submitted, please ensure future certification of title and encumbrances submitted for the subject property meets following in the aforementioned LDC subsection.

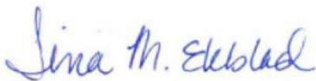
Response: Please see the attached Title Certification.

Utilities

34. Please update the narrative to identify that the proposed project is not within LCU service area.

Response: The narrative correctly indicates the Property is within the potable water franchise service area (consistent with Lee Plan Map 4-A) and Ordinance 23-03. A Letter of Availability from Lee County Utilities is attached confirming the service area.

Sincerely,



Tina M. Ekblad, MPA, AICP
Founder | Principal

Tina M. Ekblad, MPA, AICP
(561) 797-0288
tekblad@sageentitlements.com



Singletary
Commercial Planned Development
Community Meetings Summary
DCI2024-00043

ALVA Community Meeting – March 18, 2025

At the Alva Community Center, Sage Entitlements, LLC hosted a Neighborhood Information Meeting regarding DCI2024-00043 on March 18, 2025 at 5:30pm. The meeting started on time at 5:30pm with a single participant, Derek Felder, a member of the Lehigh Acres Architectural and Zoning Review Board (“LA AZRB”). Mr. Felder is an interested member of the community and desired an overall summary of the project.

Tina Ekblad with Sage Entitlements provided an overall description of the CPD with the requested 100,000 square feet of commercial and 110,000 square feet of indoor storage, a summary of the site plan and revisions that had been made as a result of comments received from staff since the initial submittal. Each deviation was presented and discussed with a large format presentation board of the Master Concept Plan for reference. Mr. Felder asked several questions regarding the widening of State Road 31. Ms. Ekblad explained that while easements had been recorded the actual taking and agreement between the property owner and Florida Department of Transportation had not been reached. To address this evolving situation, a second Master Concept Plan has been prepared demonstrating the conceptual dimensions of the SR 31 widening and the impact to the property, which would reduce the amount of development that could occur.

At approximately 5:50 Mr. Felder departed. Ms. Ekblad remained at the community center until 6:10pm and no other participants arrived.

NORTH OLGA Community Meeting – March 19, 2025

At the 31Produce/Cracker Shack, Sage Entitlements, LLC hosted a Neighborhood Information Meeting regarding DCI2024-00043 on March 19, 2025 at 5:30pm. Tina Ekblad with Sage Entitlements, LLC stayed on-site until 6pm, no participants attended the meeting.

NEIGHBORHOOD INFORMATION MEETING

PROJECT: Singletary CPD

MEETING DATE: March 18, 2025

FACILITATOR: Tina Ekblad

LOCATION: Alva Community Center

[illegible]

THANK YOU for your submission!

Your notice has been submitted for publication. Below is a confirmation of your order. You will also receive an email confirmation.

ORDER DETAILS**Order Number:****LSAR0249390****Order Status:**

Submitted

Classification:

Public Notices

Package:

General Package

Base amount:

69.60

Service fee:

2.78

Cash/Check/ACH**Discount:**

-0.00

Total payment:

72.38

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save! In no event are service fees refundable.

Payment Type:

amex

User ID:

L0097383

PREVIEW FOR AD NUMBER LSAR02493900

Notice of Public Information Meeting
A Public Information Meeting will be held for DCI2024-00043 on March 18, 2025 at 5:30 pm at the Alva Community Center 21471 North River Road. The 16 acre subject property is within the Northeast Lee and North Olga Planning Communities and is located on SR 31 in Alva, FL. A general overview of the Commercial Planned Development will be provided. Any questions or comments can be directed to Tina Ekblad of Sage Entitlements, LLC at tekblad@sageentitlements.com of 561-797-0288.
March 4 2025
LSAR0249390

<< Click here to print a printer friendly version >>

ACCOUNT INFORMATION

Tina Ekblad
97 Nickajack N
Santa Rosa Beach, FL 32459
561-797-0288
tekblad@sageentitlements.com
Sage Entitlements
Contract ID:

PAYMENT DETAILS

TRANSACTION REPORT

Date

February 27, 2025 10:15:59 AM EST

Amount:

72.38

ADDITIONAL OPTIONS

1 Affidavit

SCHEDULE FOR AD NUMBER LSAR02493900

March 4, 2025

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NEIGHBORHOOD INFORMATION MEETING

PROJECT: Singletary CPD

MEETING DATE: March 19, 2025

FACILITATOR: Tina Ekblad

LOCATION: 31 Produce/Cracker Shack

[illegible]

THANK YOU for your submission!

Your notice has been submitted for publication. Below is a confirmation of your order. You will also receive an email confirmation.

ORDER DETAILS**Order Number:****LSAR0249400****Order Status:**

Submitted

Classification:

Public Notices

Package:

General Package

Base amount:

69.60

Service fee:

2.78

Cash/Check/ACH**Discount:**

-0.00

Total payment:

72.38

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save! In no event are service fees refundable.

Payment Type:

amex

User ID:

L0097383

PREVIEW FOR AD NUMBER LSAR02494000

Notice of Public Information Meeting
A Public Information Meeting will be held for DCI2024-00043 on March 19, 2025 at 5:30 pm at 31 Produce/Cracker Shack Café 18672 SR 31. The 16 acre subject property is within the Northeast Lee and North Olga Planning Communities and is located on SR 31 Alva, FL. A general overview of the requested Commercial Planned Development will be provided. Any questions or comments can be directed to Tina Ekblad of Sage Entitlements, LLC at tekblad@sageentitlements.com or 561-797-0288.
March 5 2025
LSAR0249400

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ACCOUNT INFORMATION

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561-797-0288

tekblad@sageentitlements.com

Sage Entitlements

Contract ID:

PAYMENT DETAILS

TRANSACTION REPORT

Date

February 27, 2025 10:20:48 AM EST

Amount:

72.38

ADDITIONAL OPTIONS

1 Affidavit

SCHEDULE FOR AD NUMBER LSAR02494000

March 5, 2025

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Singletary Commercial Planned Development Project Narrative

The Singletary Commercial Planned Development (“CPD”) is a single parcel identified by STRAP 18-43-26-00-00001.0060 (“Property”) fronting on State Road 31 (aka Babcock Ranch Road) and within the Northeast Lee County planning district. The Property is approximately ±16.81 acres, located in the Outlying Suburban future land use (“FLU”) category and zoned Agricultural (“AG-2”).

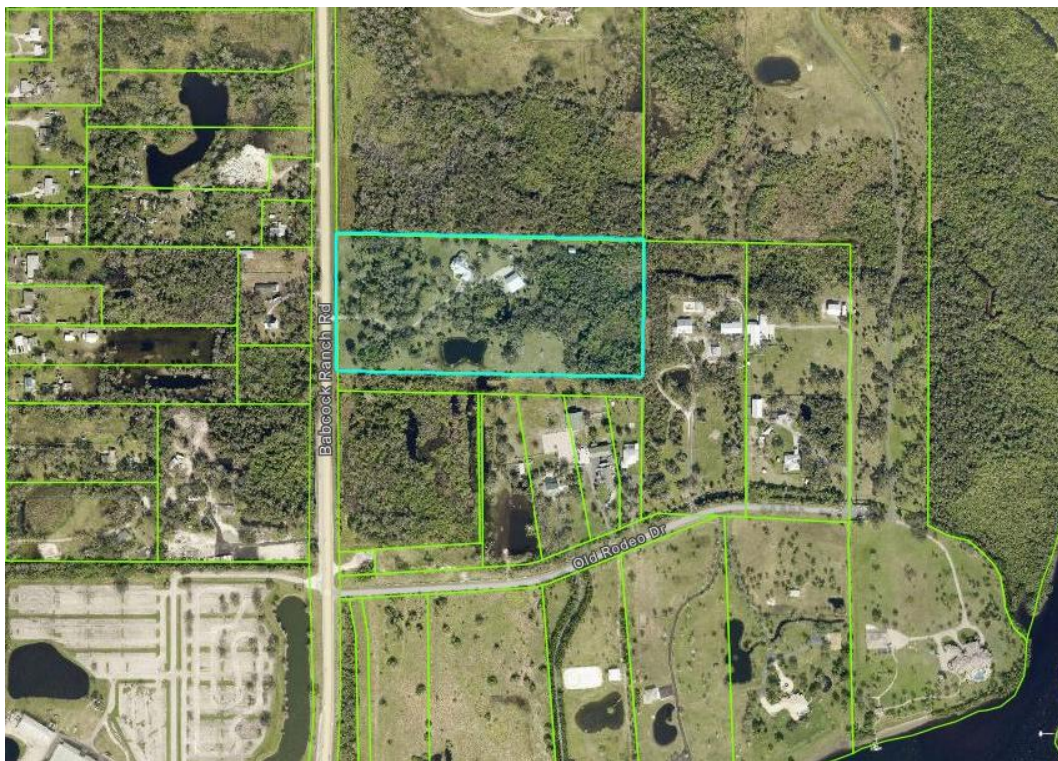


Figure 1. Subject Property

Background

The Property is located in an area of Lee County that is undergoing changing development patterns. In 2023, approximately 38 acres fronting SR 31 (including the Property) was amended from the Rural to Outlying Suburban FLU category and included in the Lee County Utilities Service Area for central water service. Sanitary sewer service areas are within a half mile of the property through Lee County Utilities (“LCU”) and Florida Governmental Utility Authority (“FGUA”). Additionally, the Florida Department of Transportation (“FDOT”) has identified a widening and improvement project for SR 31, which will increase the transportation capacity of this SIS Facility.

With the amendments to the FLU Map in the surrounding area, extension of the Lee County Utilities Service area, expansion of SR 31 by FDOT and other available public services, the character of the surrounding area is changing and becoming more suburban in nature. The following approvals demonstrate the development anticipated to occur (or already occurring) within the surrounding area.

Greenwell SR 31 is a 76.82-acre Mixed Use Planned Development (“MPD”) immediately north of the Property approved for 122 dwelling units and 400,000 square feet of commercial uses by Z-22-037A. The MPD is within the Outlying Suburban FLU category and enables agricultural uses permitted at the time of zoning approval to remain on-site until the approval of a local development order. While the zoning resolution approves these development maximums, additional permits and approvals related to stormwater management, indigenous habitat and the Coastal High Hazard Area are required prior to the commencement of construction.

The approved Master Concept Plan demonstrates a clustered development pattern around interconnected roadways, stormwater management and open space. The southwest portion of the property adjacent to SR 31 is identified for commercial development. The remaining portion of the southern property boundary is identified for preservation of the existing wetland and upland habitat. This design is similar to the conceptual layouts proposed for the Property and provides physical separation and buffering to the adjacent estate single family property to the east.

Owl Creek is a 342.68-acre Residential Planned Development (“RPD”) in the surrounding area to the east of the Property approved for 380 dwelling units with accessory uses including a multi-slip docking facility by Z-22-022. The RPD is within the Rural FLU and utilizes a density bonus for the preservation and restoration of Rare and Unique Habitat. Additional permits are required related to stormwater management, the Coastal High Hazard Area and floodplain, and the multi-slip docking facility.

The approved Master Concept Plan demonstrates a clustered development pattern around preserved and restored indigenous habitat and natural waterbodies. The MCP demonstrates minimal development areas proximate to the eastern property boundary with the remaining of the boundary adjacent to preserved habitat and natural waterbodies. Providing physical separation and buffering from the adjacent estate single family to the proposed development.

Cary + Duke + Povia is a 788-acre Residential Planned Development (“RPD”) in the surrounding area to the east of the Property that is approved Z-24-024 for 1,099 dwelling units with accessory uses for a density of 1.39 dwelling units per acre. The rezoning case was recently approved by the Board of County Commissioners. The concurrent map amendment application for Lee County Utilities Water and Sewer Service Areas was approved in March of 2024.

The proposed Master Concept Plan demonstrates a clustered development pattern into 3 ‘pods’ of one- and two-family dwelling units promoting environmental enhancements and open space to support the development.

Babcock Ranch is a 4,157.2-acre Mixed Use Planned Development in the surrounding area to the north of the Property, approved for 1,630 dwelling units, 1,170,000 square feet of

commercial uses and 600 hotel rooms by Z-17-026. The RPD is within the New Community FLU, permits agricultural uses to remain on-site until a Development Order phase is approved, ensures Emergency Medical Services will be available to serve the project, and requires additional permits related to stormwater management, indigenous habitat and protected species.

Future Land Use

The Property is located within the Outlying Suburban FLU, which is defined by Policy 1.1.6 of the Lee Plan as a “peripheral location in relation to established urban areas...is rural in nature or contains existing low-density development. Some of the requisite infrastructure needed for high density development is planned or in place.” The permitted density range is 1 to 3 dwelling units per acre.

Consistent with the descriptor policy for this FLU category, the Property is in an area of the County that is undergoing changing conditions from rural to more suburban development and the necessary public services are or will be available to support future development.

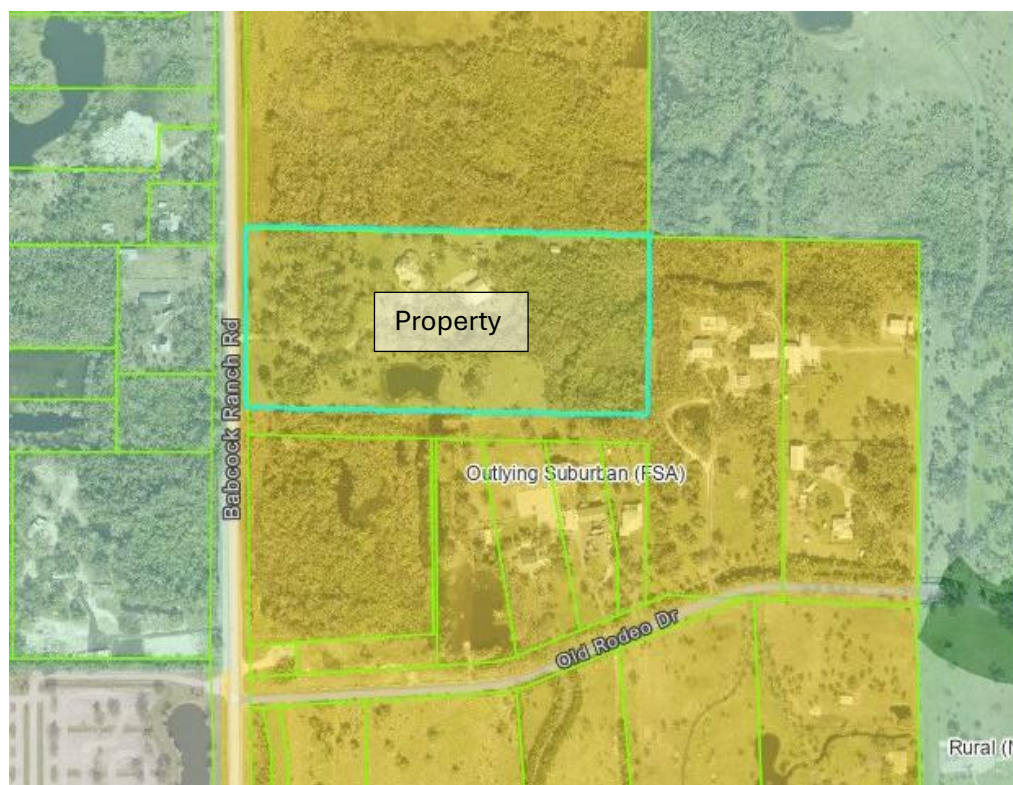


Figure 2. Future Land Use

In addition to the Outlying Suburban FLU guiding the future development of the Property, the vision of the Northeast Lee County and North Olga planning districts also provide guidance for future development.

Northeast Lee County

Goal 27 and its implementing policies seek to “maintain, enhance and support the heritage and rural character, natural resources, and agricultural lands” of the Alva and North Olga communities. Objective 27.1 clarifies that rural character is “those characteristics that convey a sense of rural lifestyle such as large lots or clustered development, ample views of wooded areas, open spaces...and the protection of environmentally sensitive lands. The Property is currently a single-family home and is proposed to be rezoned to support commercial uses. The proposed conceptual plan promotes the protection of the existing wetlands at the rear of the property and clusters the proposed commercial uses adjacent to SR 31. Open space will be required to be provided on each of the lots established up to 10% in addition to the 30% open space preserved through the proposed MCP. This design also promotes consistency with Policy 27.1.2 to conserve a large area of open land to promote compatibility with the adjacent single-family use to the east.

North Olga

The North Olga community plan echos the Goals of Northeast Lee County with Policy 29.1.1 desiring to “protect the community’s rural aesthetic qualities, preserve the natural and historic and support a diverse rural economy by promoting compact of clustered development areas that maintain large, contiguous tracts of open space, while supporting commercial agricultural businesses.” The Property is proposed to be rezoned to commercial due to the frontage on SR 31 and the changing conditions of the area. However, the proposed conceptual plan clusters the area for commercial development to the frontage of the Property and protects the interconnect wetlands and uplands at the rear of the property which also promotes compatibility with the adjacent single family estate lot consistent with Policies 29.1.1., 29.2.2. and 29.7.2.

Objective 29.3 and its supporting policies govern commercial development and desire non-residential development to “serve and support the rural community.” Implementing this Objective, Policy 29.3.3 states that proposed “new commercial development will utilize a consistent landscaping and architectural style for all buildings...and will comply with the applicable design standards within the LDC, Chapter 33 as part of the development review process. The proposed Master Concept Plan incorporates many of the design requirements of the LDC, Chapter 33 and agrees to conditions within the zoning resolution that ensure a unified architectural theme and landscaping design at the time of Development Order submittal.

As part of the preservation of native habitats, Policy 29.7.3. requires planned developments to consider the incorporation of “Firewise” principles. The proposed Property Development Regulations include a 30-foot separation between any structures and any fire dependent vegetated communities on-site.

Additionally, the proposed schedule of uses includes several uses that are consistent with the surrounding agricultural activities and rural developments. For example, animal clinics, bait and tackle shops, cultural facilities, farm equipment sales, storage, rental or service, feed or fertilizer, mixing and sales, etc. While the proposed planned development does seek a commercial designation, the site design clusters the potential development adjacent to SR 31 and the list of available uses does enable commercial development supportive of the surrounding agricultural and rural activities as well as the increased residential development occurring in the surrounding area. Through an appropriate balance of future development with

the desired vision of the North Olga community, the requested commercial planned development is consistent with the Northeast Lee and North Olga community plans and Outlying Suburban FLU category.

Project Request

The requested CPD seeks to redevelop the current residential estate into a commercial subdivision for 110,000 square feet and 100,000 square feet of indoor mini-warehouse.

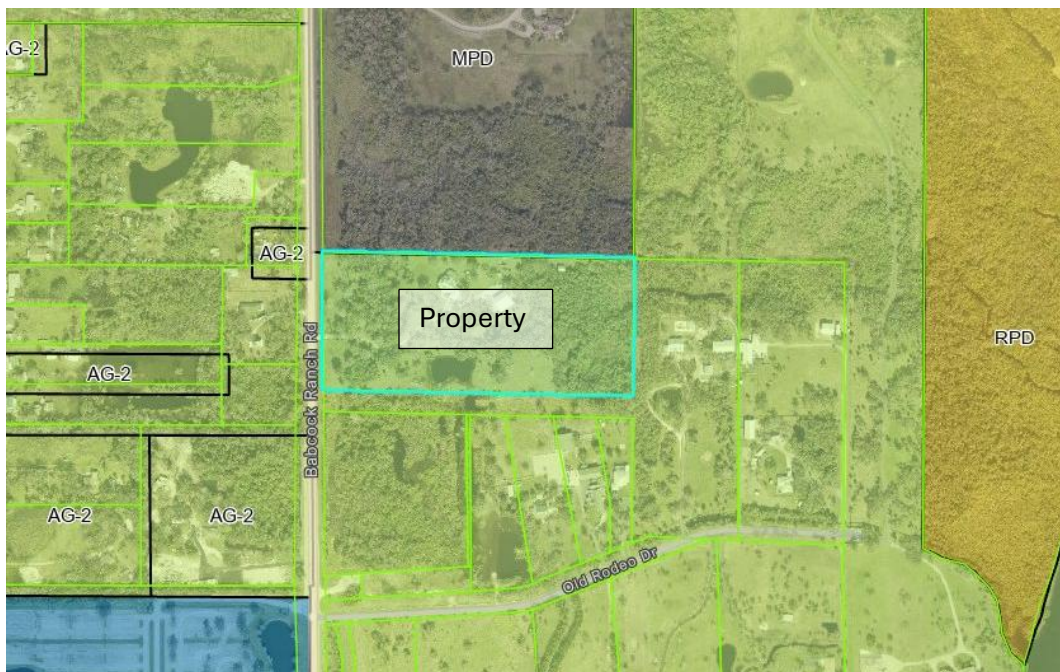


Figure 2. Subject Property and Surrounding Zoning

Properties within the Outlying Suburban FLU are anticipated to be at the periphery of established urban areas and have the requisite infrastructure for high density development. The requested CPD is consistent with this vision by supporting additional commercial development in an area that has undergone a FLU Map amendment to a Future Suburban Area, seen significant residential approvals over the past several years, and will have a major expansion to the adjacent State Roadway in the upcoming years.

Of note to the rezoning requested is the initial intent of the GU and AG-2 zoning districts. The GU zoning district was an interim zoning district to provide a placeholder until the property was rezoned. Over time, the GU district was converted to the now AG-2 district¹ which permits residential, commercial and agricultural activities. As a result of the FLU amendment to Outlying Suburban, the AG-2 zoning of the property has once again become a placeholder zoning district. The request for a CPD rezoning permits a conceptual plan sensitive to the natural resources of the property and adjacent existing and proposed uses as well as a schedule of uses supporting

¹ As approved by the 1978 Zoning Ordinance per LDC 34-619.

of the community plan to be adopted and create alignment with the underlying Outlying Suburban FLU.

The requested CPD incorporates 2 alternative design options for the Master Concept Plan due to the potential SR 31 widening. As of the time of this application only conceptual designs are available and the process to take the necessary land area for the widening project has not begun.

Option 1 Demonstrates a developable area of 12.29 acres (535,352 square feet); which includes tracts, ROW and lakes to support the requested intensity. An indigenous preserve of 4.52 acres is provided to exceed the requirements of the LDC. Smaller individual tracts have been shown on the MCP; however, larger lots could be proposed at the time of Development Order to support a larger structure and interconnectivity across the Property.

Option 2² Demonstrates a developable area of 7.82 acres (340,639 square feet); which includes tracts, ROW and lakes to support commercial intensity. The 4.52-acre indigenous preserve is maintained to continue to exceed the requirements of the LDC. The design plans presently available from FDOT indicate that 2.83 acres may be necessary for the SR 31 ROW and the .8 acres between Old State Road 31 and the proposed ROW is not of a geometry that support development intensity.

The CPD application materials and supporting documentation have been prepared to support Option 1 as this represents the maximum development scenario. It is understood that due to the expected loss of approximately 36% of the Property on account of the FDOT taking(s), the development intensity will need to be reduced by an amount that is the same or greater.

Comprehensive Plan Consistency

As established in Objectives 2.1 and 2.2, desired locations and timing for development are those that promote infill, minimize energy and service costs and conserve land, water and natural resources. The requested development accomplishes these goals by promoting commercial uses in an area with increasing residential units and a development pattern that preserves 4.5 acres of indigenous habitat. The necessary urban services are or will be in place to support the desired development. Consistent with Standards 4.1.1 and 4.1.2 a Letter of Availability has been obtained from Lee County Utilities confirming that potable water service will be available to the Property. Reuse water lines are not available in the vicinity of the Property, consistent with Policy 61.1.6 surface water will be prioritized for irrigation at the time of Development Order. An environmental analysis has been completed and is submitted as part of the Planned Development application consistent with Standard 4.1.4. The Applicant acknowledges that an Environmental Resource Permit will be necessary from the South Florida Water Management District prior to commencement of construction and anticipates the rezoning would be conditioned accordingly.

² Option 2 is only being proposed due to FDOT's notice to the owner of an intent to condemn a portion of the property via eminent domain.

There are some residential properties within the area surrounding the Property. However, the request to permit commercial on the Property does not represent commercial encroachment that would destroy the character or integrity of the residential environment as described in Policy 5.1.5. Adjacent to the Property's eastern boundary is an existing single-family residence, however this residence is located on several acres. Consistent with the protections desired by Policy 5.1.5, the MCP proposes to preserve 4.5 acres of indigenous habitat adjacent to the eastern boundary to promote appropriate separation and buffering from the adjacent residence. The other existing residential uses occur west of SR 31 and obtain access from Old Bayshore Road.

Additionally, SR 31 is a Strategic Intermodal System ("SIS") roadway as designated by the Florida Department of Transportation. SIS roadways are considered high-priority transportation facilities that are the primary method for moving people and freight between regions in Florida as well as other states.³ As a result, FDOT is currently in various stages of improving SR 31 to increase capacity. The portion of SR 31 adjacent to the Property is anticipated to be widened to accommodate 3 vehicular lanes of travel in each direction with a landscaped median and other pedestrian and bicyclist improvements. As a result of FDOT's widening, future access to this roadway will require a permit from FDOT and will likely be restricted to preserve the vehicular flow of the widened roadway. The SIS designation and anticipated improvements, demonstrates individual residential driveways to SR 31 are not appropriate and would not aid in maintaining traffic flow and capacity. The proposed commercial development will utilize a single access point and align with the existing approved commercial area within the MPD to the north. This MPD includes a condition for an interconnection and the Applicant has provided a notation on the MCP for an interconnection, which will permit vehicular traffic to access the two developments without traveling SR 31.

Commercial development is specifically addressed in the Lee Plan through Goal 6 and its supporting objectives and policies. Consistent with Policy 6.1.1, the application materials supporting this request include a traffic impact statement, master concept plan with landscaping, buffers and detailed site planning, letter of availability for utilities, environmental assessment, and analysis of compatibility and surrounding uses. The MCP demonstrates that the locations for commercial development are clustered at the front of the Property adjacent to SR 31 with an internal access road and availability for interconnection to the adjacent permitted commercial to the north consistent with Policy 6.1.3. This design pattern ensures the proposed commercial uses align with approved commercial uses in the MPD to the north and the existing single family to the east is appropriately separated and buffered by the preservation of 4.5 acres of indigenous preservation consistent with Policy 6.1.4. As described above, access to SR 31 will be controlled by FDOT and development of individual residential lots with driveways to this roadway is not appropriate given the SIS designation and priority of preserving capacity. Adequate residential unit types exist within the area as estate lots and master planned communities. As a result, the requested development is consistent with Policies 6.1.5, 6.1.7 and 6.1.9.

³ FDOT, 2023, Strategic Intermodal System Facility Designation.

<https://www.fdot.gov/planning/systems/sis/guidance.shtm> Accessed 9/27/204.

Goal 39 seeks to link transportation and land use decisions to achieve a multi-modal transportation system. With the anticipated improvements to SR 31 there will be adequate capacity to serve the proposed development consistent with Objective 39.2 and Policy 39.2.2. The roadway cross-section provided by FDOT identifies that there will be 6 vehicular lanes and a 12-foot share use path ensuring future residents of the surrounding area can utilize a vehicle or walk and bike to destinations. It is anticipated that the 12-foot-wide multi-use path will provide the necessary connection desired by the Pine Island-Hendry Trail consistent with Policy 77.3.7. While transit does not currently serve the area, the 2,132 residential units approved by the surrounding planned developments with the existing development and anticipated future approvals will establish the necessary foundation for mass transit to service the area in the future.

The proposed MCP incorporates wet and dry detention for the future stormwater management system and locates these areas proximate to the existing indigenous vegetation. A future permit will be required from the South Florida Water Management District; however, it is anticipated that the proposed stormwater management system will retain surface water on-site to appropriate treat and control water discharge consistent with policies 60.1.1, 60.15, 60.4.2., 61.3.1, 61.3.2, 61.3.11, and 61.3.12. The final design will be permitted through the South Florida Water Management District consistent with their agency requirements and policy 60.4.1. Through this proposed system, the development will not degrade surface and groundwater quality consistent with Policies 125.1.2. and 125.1.4 Lee County Staff has identified a natural waterbody crosses the northeast corner of the property. The proposed Master Concept Plans retail this natural waterbody and the proposed indigenous preserve and created wetlands provide the necessary buffer to ensure the future protection of this system as required by Policy 126.1.1. Incorporating these natural features into the stormwater management system will maintain levels of surface and groundwater consistent with Policy 126.1.4.

The Property is within the Coastal High Hazard Area (“CHHA”) and is required by Policy 101.1.1 to be compatible with natural systems for water retention, purification, wildlife habitat and defense against coastal flooding. Policy 101.3.2 restricts development within the CHHA to uplands except as needed for the provision of public facilities. Currently the Property has 4.13 acres of wetlands and the proposed MCP preserves 3.78 acres of wetlands. The .35 acres of wetlands proposed for impact are an isolated and exotic infested wetland. Eliminating this area permits the preservation of 2.87 acres of contiguous indigenous wetlands to the east. The preservation of the on-site wetlands and natural waterway retains an interconnected natural system for water retention, purification and defense against coastal flooding consistent with Policies 101.1.1, 60.4.2 and 60.4.1. Compensatory storage is proposed along the northern property boundary immediately adjacent to the preserved wetlands. The Master Concept Plan also proposes .35 acres of wetland creation within the compensatory storage area and adjacent to the natural waterway to replace the impacted wetland acreage. An Environmental Resource Permit will be obtained permitting this impact as well as the associated mitigation. Lee County has previously permitted development within the CHHA with the condition that an ERP be acquired for associated wetland impacts as once filled the wetland becomes an upland and development is consistent with Policy 103.2.

Surrounding Land Uses

The Property is in an area of existing and anticipated approved development within Lee County. Bounded by SR 31 along the western Property boundary, residential and vacant lands exist along the remaining Property boundaries.

	Future Land Use	Zoning	Current Use
North	Outlying Suburban	MPD	Single Family Residential & Agricultural
South	Outlying Suburban	AG-2	Access to Single Family to east, Single Family, vacant lands
East	Rural	AG-2	Single Family Residence
West	Rural	AG-2	SR 31, Single Family, vacant lands

Table 1. Surrounding Land Uses

North

To the North is a large parcel zoned MPD by Z-22-037A. Currently utilized as a single-family home, the portion of the parcel adjacent to the southern property boundary has been approved for commercial development fronting SR 31 and the rear/eastern portion for indigenous preservation. The MCP for the requested CPD includes a similar development pattern.

South

To the south is an approximately 90 foot wide “flag” portion of the parcel adjacent to the Eastern Property boundary, however this area is not currently utilized for access as the parcel also fronts Old Rodeo Drive.

Further south are existing parcels of varying sizes. The 8-acre parcel fronting SR 31 is currently vacant. The remaining parcels to the east and fronting Old Rodeo Drive range from 1.4 to 3 acres and have existing single-family residences and agricultural uses. These parcels generally align with the proposed preserved indigenous preservation on the MCP which provide appropriate separation and buffering from the proposed development and adjacent uses.

These properties are also within the Sub-Outlying Suburban FLU category and with the widening of SR 31 are anticipated to redevelop over time.

East

A single property is adjacent to the eastern Property boundary and is developed with a single-family home. The existing residence is setback approximately 120 feet from the shared boundary with the Property. The proposed MCP preserves the existing indigenous vegetation adjacent to the eastern Property boundary to provide further separation and buffering to the proposed commercial development. This property is within the Rural FLU category.

West

To the west is SR 31, approximately 120-foot right-of-way. The proposed cross-section from the PD&E study is anticipated to be a minimum of 170 feet wide.

Across SR 31 from the Property are existing single-family residences. The first property is approximately 3 acres with a single-family residence and 2 additional structures providing garage storage and a barn. The residence is setback from SR 31 approximately 135 feet. The second property is approximately an acre with a mobile home setback from SR 31 approximately 110 feet. These properties are within the Rural FLU category.

Urban Services & Availability

The Property is in an area that has a full slate of urban services available to support the existing and future development.

Utilities – The Property is within the service area for Lee County Utilities for potable water. Sanitary sewer service areas for Lee County Utilities (LCU”) and Florida Government Utility Authority (“FGUA”) exist within a half mile. Applications are currently in process by other surrounding developments to extend infrastructure, which would pass the Property.

Public Safety – Lee County Emergency Services is the primary EMS transport for the Property and can provide service from Bayshore Fire Station #131 or Alva Fire Station #181. Fire protection services are provided by the Bayshore Fire Department. There is a single fire station within the Bayshore District at the intersection of Nalle Road and Bayshore Road, approximately 3 miles from the Property. Lee County Sherriff provides police protection to the Property from Zone North 5.

Soid Waste – The Property is within the Lee County Solid Waste Franchise Area and is served through Lee County’s franchised hauling contractor, WastePro. Disposal of waste from the proposed development will occur through the Lee County Resource Recovery Facility and Lee-Hendry Regional Landfill.

Public Schools – The CPD does not request any residential uses and therefore will not impact Lee County Schools.

Review Criteria

Land Development Code Section 34-145 establishes the review criteria for rezoning requests. Before recommending approval of a rezoning request, the Hearing Examiner must find the request:

a) Complies with the Lee Plan;

The requested CPD complies with the Lee Plan as demonstrated by the above narrative. The Outlying Suburban FLU of the Property permits commercial development. The proposed Schedule of Uses incorporates commercial uses that support the existing and future surrounding agricultural uses as well as the anticipated residential development.

b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;

The requested CPD is consistent with the requirements of the LDC and other applicable regulations. A deviation is requested to reduce the required perimeter buffer within the commercial development area along the northern boundary. This area aligns with an existing approved commercial development area on the adjacent property. The buffer reduction will promote increased integration between the properties and the anticipated commercial uses.

c) *Is compatible with existing and planned uses in the surrounding area;*

The proposed design of the Master Concept Plan associated with the CPD request promotes compatibility with the surrounding area and the existing uses. The proposed 4.5 acres of preservation at the rear of the property provides adequate separation and buffering from the existing adjacent single-family residence. The proposed location of commercial uses align with existing approved commercial development on the adjacent parcel to the north.

d) *Will provide access sufficient to support the proposed development intensity;*

A single access point to SR 31 is proposed to maintain the existing capacity of the state roadway. A deviation is requested to reduce the intersection separation by 50 feet to allow the proposed driveway to align with an existing driveway across SR 31.

e) *The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;*

All of the roadway included in the analysis, except SR between SR 78 and SR 80 and S78 west of SR 31 are project to operate at or above the minimum adopted Level of Service in 2027 with and without the proposed development. SR 31 between SR 78 and SR 80 is projected to operate at a poor Level of Service in 2027 with the proposed development traffic added to this roadway. FDOT is finalizing the PD&E study on SR 31 from SR 78 to SR 80 to evaluate the future widening from the current two-lane undivided facility to a six-lane divided facility. This improvement will address the projected SR 31 capacity deficiency that was shown as part of the TIS analysis. Funding from FDOT is scheduled for 2029 for the widening of SR 31 from SR 80 to SR 78, including a new bridge over the Caloosahatchee River. Therefore, additional roadway capacity improvements will not be warranted, and the expected impacts will be addressed.

f) *Will not adversely affect environmentally critical or sensitive areas and natural resources; and*

The proposed development does not negatively impact natural resources. The proposed .35 acre to be removed is isolated and will be mitigated consistent with the requirements of an approved ERP permit.

g) *Will be served by urban services, defined in the Lee Plan, if located in a Future Urban category.*

The Property is not located within a Future Urban category. However, Urban services will be available to serve the proposed development.

Planned Development rezoning requests must also have the following findings:

- a) The proposed use or mix of uses is appropriate at the proposed location;*

The schedule of uses includes a mix of commercial uses within a Suburban Future Area and along an existing arterial roadway that is scheduled to be widening. The Outlying Suburban FLU permits commercial uses and the necessary public services are available, or will be, to support the proposed uses.

- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development; and*

The applicant understands that conditions will be placed on the property regarding the maximum development parameters, roadway access, wetland preservation, etc to ensure the future development is consistent with this narrative and proposed Master Concept Plan.

- c) That each requested deviation:*

- 1) Enhances the achievement of the objectives of the planned development; and*
- 2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.*

The proposed deviations enhance the planned development by promoting appropriate buffering for the existing development conditions and access for the existing and future conditions of SR 31.

Tina M. Ekblad, MPA, AICP
(561) 797-0288
tekblad@sageentitlements.com



Singletary Commercial Planned Development Schedule of Deviations

The requested rezoning includes 2 Master Concept Plans, the first demonstrates the current conditions of the Property and the second the conditions if the current design for the SR 31 widening were to be implemented. The below deviations are needed for both designs.

1. Deviation from LDC Section 10-329(d)(1)a.3. which requires a 50 foot excavation setback from a private property line to allow 30 feet from a private property line

Justification: The proposed MPC incorporates a single stormwater management lake to support the commercial development. At the northern and southern property boundaries, the setback to the excavation is proposed to be reduced to 30 feet. Along the northern boundary, the adjacent property has preserved indigenous habitat; therefore, there will be no negative impacts to the public health, safety and welfare or adjacent development. Along the southern boundary, the adjacent property is subject to a drainage easement; therefore, there will also be no negative impacts to the public health, safety and welfare and adjacent development.

The land development code permits a reduction of the required 50 foot setback administratively by the Director of Development Services up to 25 feet. This deviation is requested for consideration by the Hearing Examiner and Board of County Commissioners to implement the proposed design and eliminate the need for an Administrative Amendment at a later date.

2. Deviation from LDC Section 10-291(3) which requires commercial development of more than 10 acres to provide more than one point of ingress or egress for the development to allow a single point of ingress/egress.

Justification: The Property has approximately 569 feet of frontage on SR 31. This state roadway is part of the Strategic Intermodal System ("SIS"), which is the State's classification system for transportation capacity investments and primary focus for implementing the Florida Transportation Plan ("FTP"). As an SIS Corridor, access is restricted on SR 31 to prioritize the movement of people and goods. Initial coordination with FDOT has indicated a second access to SR 31 will not be provided to the Property.

No other deviations are requested related to the width or design of the roadway and the Property is of adequate size to permit passenger, emergency and commercial vehicles to enter the property, access the proposed commercial uses and exit

consistent with the design standards of the LDC. Therefore, the safety of the public health, safety and welfare will be maintained.

3. Deviation from LDC Section 10-416(d) which requires a Type C or F buffer from Commercial adjacent to Single Family to allow a 15 foot Type D buffer along the southern property boundary.

Justification: Immediately adjacent to the southern property boundary is a “flag” of 100 feet wide and 1285 feet long with a recorded drainage easement recorded at OR Book 4024 and Page 2387 and supporting the existing single-family residence to the east. Per LDC Section 10-416(d) a Type C or F Buffer are required between commercial and residential uses. However, a Type C and Type D buffer are very similar, with design variations relating to the maintenance of shrubs and a screening wall. The requested Type D buffer does not require a screening wall however, the double hedge row is permitted to be maintained at 36 inches.

Given the narrow 100 foot depth and length of the “flag” portion of the parcel immediately adjacent to the Property and the existing drainage easement, it is unlikely that a single-family residence would be constructed on this portion of the lot in the future. As a result, the applicant is requesting the elimination of the screening wall and the ability to install the double hedge row with maintenance of the hedges at 36 inches – consistent with the Type D buffer standards.

The proposed buffer will continue to visually screen and separate the proposed commercial uses from the “flag” portion of the property, enhancing the planned development and maintaining the public health, safety and welfare. While there are residential lots and existing residences, immediately south of the “flag” portion of the lot, these align with the proposed indigenous preserve and stormwater management area. Therefore, the existing residences will not be negatively impacted by the alternative landscape buffer request.

Schedule of Uses

Accessory Uses and Structures
Administrative Offices
Agricultural Uses (existing as conditioned)
Animals:
 Clinic or Kennel
 Control Center (including Humane Society)
ATM (Automatic Teller Machine)
Auto Parts Store
Automobile Repair and Service, All Groups
Automobile Service Station
Bait and Tackle Shop
Banks and Financial Establishments: Groups I and II
Bar or Cocktail Lounge
Boats:
 Boat Parts Store
 Boat Rental
 Boat Repair and Service
 Boat Sales
 Boat Storage, Dry
Broadcast Studio, Commercial Radio, and Television
Building Material Sales
Business Services: Groups I and II
Caretaker's residence
Car Wash
Cleaning and Maintenance Services
Clothing Stores, General
Clubs:
 Commercial
 Fraternal, Membership Organization
 Private
Communication Facilities, Wireless
Consumption on Premises
Contractors and Builders, All Groups
Convenience Food and Beverage Store
Cultural Facilities
Day Care Center, Child, Adult
Department Store
Drive-Through Facility for any Permitted Use
Drugstore, Pharmacy
EMS, Fire or Sheriff's Station
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities, Group I

Excavation:

- Water Retention
- Farm Equipment, Sales, Storage, Rental or Service
- Feed or Fertilizer, Mixing and Sales
- Fences, Walls
- Flea Market: Open & Indoor
- Food Stores, Groups I, II
- Funeral Home and Mortuary (Without Crematory)
- Gift and Souvenir Shop
- Hardware Store
- Health Care Facilities, Group III only
- Hobby, Toy, and Game Shops
- Hospice
- Household and Office Furnishings, All Groups
- Insurance Companies
- Laundry or Dry Cleaning, Group I
- Lawn and Garden Supply Stores
- Medical Office
- Non-store Retailers, All Groups
- Package Store
- Paint, Glass, and Wallpaper
- Parking Lot:
 - Accessory
 - Commercial
 - Temporary
- Personal Services, Groups I-IV
- Pet Services
- Pet Shop
- Pharmacy
- Place of Worship
- Plant Nursery
- Post Office
- Printing and Publishing
- Real Estate Sales Office
- Recreational Facilities, Commercial Groups I, III, IV
- Religious Facilities
- Rental Or Leasing Establishment, Groups I-IV
- Repair Shops, Groups I-V
- Research and Development Laboratories, Groups I, II, & IV
- Restaurant, Fast Food
- Restaurants Groups I-IV
- Retail and Wholesale Sales, when clearly incidental and subordinate to a permitted principal use on the same premises
- Schools:

Commercial
Noncommercial
Signs
Specialty Retail Shops, Groups I-IV
Storage, Indoor
Storage, Open
Studios
Temporary Uses (limited to temporary sales office, temporary contractor's office, staging area,
and equipment storage structures)
Theater, Indoor or Outdoor (Drive-In)
Used Merchandise Stores, Groups I, II
Variety Store
Vehicle and Equipment Dealers, Groups I-V
Warehouse:
 Hybrid
 Mini Warehouse
Wholesale Establishments, Groups I, III

Site Development Regulations

Minimum Open Space

30 percent

50 percent of the total open space must be indigenous open space

Minimum lot size: 10,000 sq. feet

Minimum lot width: 100 feet

Minimum lot depth: 100 feet

Minimum Setbacks:

Private Street: 15 feet

Arterial/Collectors: 50 feet

Side: 10 feet

Rear: 10 feet

Waterbody: 25 feet

Preserve (rear): 20 feet (10 feet for accessory structure

Structural Setback: 30 feet for indigenous plant communities subject to fire

Maximum building height: 45 feet

Maximum lot coverage: 50 percent



BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

February 5, 2025

Via E-Mail

Cecil L Pendergrass
District Two

Tina Ekblad

David Mulicka
District Three

Sage Entitlements, LLC.

Brian Hamman
District Four

97 Nickajack North

Santa Rosa Beach, FL 32459

Mike Greenwell
District Five

RE: **Potable Water and Wastewater Availability**

Dave Harner, II
County Manager

**Singletary Commercial Planned Development – 18200 State Road 31, Alva, FL
STRAP # 18-43-26-00-00001.0060**

Richard Wm. Wesch
County Attorney

To whom this may concern:

Donna Marie Collins
County Hearing
Examiner

The subject property is located within Lee County Utilities Future Water Service Area as depicted on Map 4A but is not within Lee County Utilities Future Wastewater Service Area on Map 4B of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are not adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of maximum of 110,000 SF Commercial Retail/Office space and maximum of 100,000 SF Self Storage Space with an estimated flow demand of approximately 26,500 gallons per day. There are no reuse mains in the vicinity of this parcel.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Planned Development Application only. Individual letters of availability will be required for the purpose of obtaining building permits.

Respectfully,

Nathan Beals, PMP, LCU Planning and New Development Operations Manager

TITLE CERTIFICATION / PROPERTY INFORMATION REPORT

Showing Information Required by Lee County Land Development Code Section 34-202(a)(7)

Issuer: Attorneys' Title Fund Services, Inc.
Recipient: Henderson Franklin Starnes & Holt, P.A., and
Lee County Board of County Commissioners

Fund File Number: 1607095

Agent's File Reference: EPC 44270.1

Provided For: Henderson Franklin Starnes & Holt, P.A. and
Lee County Board of County Commissioners

Effective Date of Search: January 31, 2025 at 11:00 PM

Description of Real Property Situated in Lee County, Florida:

See Exhibit A

Record Title Vested in:

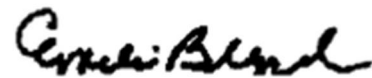
RICHARD STEPHEN SINGLETARY and HEIDI LYNN SINGLETARY, as Trustees of the SINGLETARY FAMILY TRUST dated January 7, 2016, by Warranty Deeds recorded in O.R. Book [2974, Page 2172](#); Clerk's File Number [2016 - 15912](#), Public Records of Lee County, Florida.

Prepared Date: February 4, 2025

Attorneys' Title Fund Services, Inc.

Prepared by: Jo Anne Young, Senior Examiner

Email Address: jyoung@thefund.com



Cyndi Bolyard
Branch Manager

TITLE CERTIFICATION / PROPERTY INFORMATION REPORT

Fund File Number: 1607095

The following mortgages are all the mortgages of record that have not been satisfied or released of record nor otherwise terminated by law:

1. No open mortgage(s) were found of record. Agent should confirm with the owner that the property is free and clear.

Other encumbrances affecting the title:

1. Note: The subject property appears to border on a body of water.
2. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book [2189, Page 3281](#) and amended by Ordinance No. 86-38 in O.R. Book [2189, Page 3334](#), Public Records of Lee County, Florida.
3. Grant of Easement in favor of Lee County Electric Cooperative recorded in O.R. Book [2552, Page 2647](#), Public Records of Lee County, Florida.
4. Grant of Easement in favor of Lee County Electric Cooperative recorded in O.R. Book [2986, Page 2352](#), Subordination of Utility Interests recorded in Clerk's File Number [2024 - 262730](#), and recorded in Clerk's File Number [2024 - 262727](#), Public Records of Lee County, Florida.
5. Grant of Easement in favor of Florida Gas Transmission Company recorded in O.R. Book [3200, Page 4367](#); O.R. Book [3215, Page 3698](#), Public Records of Lee County, Florida.
6. State of Florida Department of Transportation Project Resolution recorded in Clerk's File Number [2024 - 225228](#), Public Records of Lee County, Florida.
7. FOR INFORMATIONAL PURPOSES ONLY: 2024 taxes were paid under receipt number DP-00-03009886, on December 11, 2024, Parcel/Account ID# 18-43-26-00-00001.0060, the gross amount being \$3,706.73.

This search is provided pursuant to the requirements of Lee County Land Development Code Section 34-202(a)(7) for the uses and purposes specifically stated therein and is not to be used as the basis for issuance of an insurance commitment and/or policy. This certificate has been prepared expressly for the appropriate governing body as is defined by, Lee County Development Code Section 34-202(a)(7) and is not to be relied upon by any other group or person for any other purpose.

TITLE CERTIFICATION / PROPERTY INFORMATION REPORT

Exhibit A

Fund File Number: 1607095

A tract or parcel of land lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, said corner lying on the Westerly right-of-way line of State Road 31, (100 feet wide), thence run S 88°46'28" E for 100.00 feet to the Easterly right-of-way of said State Road 31 (basis of bearings), thence run N 00°26'31" W along said Easterly right-of-way line for 811.99 feet to the Point of Beginning to the herein described parcel:

From said point of beginning continue running N 00°26'31" W along said right-of-way line for 569.02 feet; thence run S 88°53'02" E for 1290.40 feet; thence run S 00°16'25" W for 569.02 feet; thence run N 88°52'38" W for 1283.29 feet to the Point of Beginning.

Prepared by:
Grantors

Recorded at

Documentary Tax Pd. \$ 315.00
Intangible Tax Pd. \$ 0
CHARLIE GREEN, CLERK, LEE COUNTY
By Cindy Keller Deputy Clerk

Return to:
STEVE R. and HEIDI L. SINGLETARY
6216 Bayshore Road
N Ft. Myers, Florida 33917

4412221

Property ID# 13-43-26-00-00001.0000

PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION

General Warranty Deed

OR2974 PG2172

Executed this 17 day of June, 1998

first party: MICHAEL GREENWELL and TRACY GREENWELL, HUSBAND AND WIFE
12250 N River Road, Alva, Florida 33920
hereinafter referred to as Grantors, to

second party: STEVE R. SINGLETARY and HEIDI L. SINGLETARY, HUSBAND AND WIFE
6216 Bayshore Road, N Ft. Myers, Florida 33917
hereinafter called the Grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, That the Grantors, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantees, all that certain land situate in Lee County, Florida, viz:

A tract or parcel of land lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, said corner lying on the Westerly right-of-way line of State Road 31, (100 feet wide), thence run S 88°46'28" E for 100.00 feet to the Easterly right-of-way of said State Road 31 (basis of bearings), thence run N 00°26'31" W along said Easterly right-of-way line for 811.99 feet to the point of beginning to the herein described parcel:

From said point of beginning continue running N 00°26'31" W along said right-of-way line for 569.02 feet; thence run S 88°53'02" E for 1290.40 feet; thence run S 00°16'25" W for 569.02 feet, thence run N 88°52'38" W for 1283.29 feet to the point of beginning.

Said parcel contains 16.81 acres, more or less.

Said parcel is subject to easements, restrictions, reservations and right-of-ways of record, if any, and taxes for the current and all subsequent years.

Together With all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, The same in fee simple forever.

And, The Grantors hereby covenant with said Grantees that the Grantors are lawfully seized of said land in fee simple, that the Grantors have good right and lawful authority to sell and convey said land, that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes for the current year.

In Witness Whereof, The said Grantors have signed and sealed these presents the day and year first above written. Signed, sealed and delivered in the presence of:

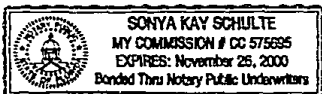
Dana M. Waters
Witness
DANA M. WATERS
Print
Howard Greenwell
Witness
Howard Greenwell
Print

Michael Greenwell
MICHAEL GREENWELL
Tracy Greenwell
TRACY GREENWELL

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared MICHAEL GREENWELL and TRACY GREENWELL, known to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed same, that I relied upon the following form of identification of the above-named persons: DRIVER'S LICENSE # personally known respectively.

WITNESS my hand and official seal in the County and State last aforesaid this 17 day of June, 1998



Sonya Kay Schulte
Notary Public Sonya Kay Schulte

CHARLIE GREEN, CLERK
LEE COUNTY, FL
98 JUN 18 AM 11:35

RECORDED BY
CINDY KELLER, D.C.

6.00
315.00

0R2552 PG2647

Prepared By:
 Karen Hardin
 Lee County Electric Cooperative, Inc.
 Post Office Box 3455
 N. Ft. Myers, FL 33918-3455

3686479

Documentary Tax P.d. \$.70
 Intangible Tax P.d.
 \$ CHARLIE GREEN, CLERK, LEE COUNTY
 By [Signature] Deputy Clerk

EASEMENT

KNOW ALL MEN BY THESE PRESENTS that Barnett Banks Trust Company, as Ancillary Trustee for State Street Bank and Trust Company, as Trustee for Telephone Real Estate Equity Trust, as Grantor, whose post office address is 111 N. Orange Avenue, Suite #1000, Orlando, Florida 32801, in consideration of the sum of one dollar and other valuable considerations, receipt of which is hereby acknowledged, does hereby grant to Lee County Electric Cooperative, Inc., a Florida corporation, whose post office address is Post Office Box 3455, North Fort Myers, Florida 33918, and to its successors and assigns (the term "assigns" meaning any person, firm, or corporation owning by way of assignment all rights under this Agreement or a portion of such rights, with the Grantee or its other assigns retaining and exercising the other rights), an easement forever for a right-of-way to be used for the construction, operation, and maintenance of one or more overhead and underground electric distribution lines, including, but not limited to, wires, poles, cables, conduits, anchors, guys, and roads, trails, and equipment associated therewith, attachments and appurtenant equipment for communication purposes (all of the foregoing hereinafter referred to as "facilities"), over, under, in, on, upon, and across the lands of the Grantor situated in the County of Lee and State of Florida and being more particularly described as follows:

A ten-foot-wide strip of land lying in the West one-half (W 1/2) of Section 18, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of Section 18, Township 43 South, Range 26 East, Lee County, Florida; thence run S 88°52'38" E along the North line of said Section 18 and the centerline of State Road 78, 1377.37 feet; thence run S 00°16'25" W 50.00 feet to the South right-of-way line of said State Road 78 and the Point of Beginning of the lands herein described; thence continue S 00°16'25" W 3876.00 feet; thence run S 88°52'38" E 869.73 feet; thence run S 00°16'25" W 10.00 feet; thence run N 88°52'38" W 879.73 feet; thence run N 00°16'25" E 3886.00; thence S 88°52'38" E 10.00 feet to the Point of Beginning.

together with the right and privilege from time to time to reconstruct, inspect, alter, improve, enlarge, add to, change the voltage, as well as the nature or physical characteristics of, replace, remove, or relocate such facilities or any part of them upon, across, over, or under the right-of-way described above with all rights and privileges necessary or convenient for the full enjoyment or the use thereof for the purposes described herein, including, but not limited to, the right to trim, spray, cut, and keep clear all trees and undergrowth and other obstructions within said right-of-way and on lands of Grantor adjoining said right-of-way that may interfere with the proper construction, operation, and maintenance of such facilities or any part of them, the right to mark the location of any underground facilities by above-ground markers and other suitable markers, and the right of ingress and egress for personnel and equipment of Grantee, its contractors, agents, successors or assigns, over the adjoining lands of the Grantor, for the purpose of exercising and enjoying the rights granted by this easement and any or all of the rights granted hereunder.

By the execution and delivery hereof, Grantor so expressly agrees that no portion of the right-of-way shall be excavated, altered, obstructed, improved, surfaced, or paved without the prior written permission of the Grantee, or its successors or assigns, and no building, well, irrigation system,

94 NOV 18 PM 12:16

DR2552 PG2648

drainage system, structure, obstruction, or improvement (including any improvements for recreational activities) shall be located, constructed, maintained, or operated over, under, upon, or across said right-of-way by the Grantor, or the heirs, personal representatives, successors or assigns of Grantor.

By the execution hereof, Grantor covenants that it has the right to convey this easement and that the Grantee and its successors and assigns shall have quiet and peaceful possession, use, and enjoyment of this easement and the rights granted hereby.

IN WITNESS WHEREOF, the Grantor has executed this Agreement this 18th day of November 1994.

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF:

Tamara L. Dixon
First Witness (Signature)

Tamara L. Dixon
Printed, Typewritten, or Stamped Name of
First Witness

Judy H. Staudermann
Second Witness (Signature)

Judy H. Staudermann
Printed, Typewritten, or Stamped Name of
Second Witness

Barnett Banks Trust Company, Trustee

By: Lucretia M. Vizcaino
(Signature)

LUCRETIA M. VIZCAINO
Printed, Typewritten, or Stamped Name
Its Assistant Vice President

(CORPORATE SEAL)

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 18th day of November 1994, by Lucretia M. Vizcaino, Asst. Vice President of Barnett Banks Trust Company, as Ancillary Trustee for State Street Bank and Trust Company, as Trustee for Telephone Real Estate Equity Trust. He is personally known to me or has produced as identification.

(NOTARIAL SEAL)



Angela Kneale Smith
Signature of Person Taking Acknowledgement

Angela Kneale Smith
Name of Acknowledger Typed, Printed, or Stamped

Notary Public
Title or Rank

CC 412707
Serial Number, if any (Commission Number)

My commission expires: 10/11/98

4431270

0R2986 PG2352

Prepared By:
 Karen Hardin
 Lee County Electric Cooperative, Inc.
 Post Office Box 3455
 N. Ft. Myers, FL 33918-3455

Documentary Tax Pd. \$ 70
 Intangible Tax Pd. \$
 CHARLIE GREEN, CLERK, LEE COUNTY
 By Trent Voges Deputy Clerk

EASEMENT

KNOW ALL MEN BY THESE PRESENTS that Steve R. Singletary and Heidi L. Singletary, husband and wife, as Grantors, whose post office address is 6216 Bayshore Road, North Fort Myers, Florida 33917, in consideration of the sum of one dollar and other valuable considerations, receipt of which is hereby acknowledged, do hereby grant to Lee County Electric Cooperative, Inc., a Florida corporation, whose post office address is Post Office Box 3455, North Fort Myers, Florida 33918, and to its successors and assigns (the term "assigns" meaning any person, firm, or corporation owning by way of assignment all rights under this Agreement or a portion of such rights, with the Grantee or its other assigns retaining and exercising the other rights), a perpetual easement for a right-of-way to be used for the construction, operation, and maintenance of one or more overhead and underground electric distribution lines, including, but not limited to, wires, poles, cables, conduits, anchors, guys, and roads, trails, and equipment associated therewith, attachments and appurtenant equipment for fiber optic telecommunications and television purposes (all of the foregoing hereinafter referred to as "facilities"), over, under, in, on, upon, and across the lands of the Grantors situated in the County of Lee and State of Florida and being more particularly described as follows:

A tract or parcel of land lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, said corner lying on the Westerly right-of-way line of State Road 31 (100 feet wide); thence run S. 88°46'28" E. for 100.00 feet to the Easterly right-of-way of said State Road 31 (basis of bearings); thence run N. 00°26'31" W. along said Easterly right-of-way line for 811.99 feet to the Point of Beginning of the herein described parcel: From said Point of Beginning continue running N. 00°26'31" W. along said right-of-way line for 569.02 feet; thence run S. 88°53'02" E. for 1290.40 feet; thence run S. 00°16'25" W. for 569.02 feet; thence run N. 88°52'38" W. for 1283.29 feet to the Point of Beginning.

The foregoing easement shall be a strip of land sixteen (16) feet in width, the centerline of which shall be a line drawn between poles or along a buried cable, together with the right and privilege from time to time to reconstruct, inspect, alter, improve, enlarge, add to, change the voltage, as well as the nature or physical characteristics of, replace, remove, or relocate such facilities or any part of them upon, across, over, or under the right-of-way described above with all rights and privileges necessary or convenient for the full enjoyment or the use thereof for the purposes described herein, including, but not limited to, the right to trim, spray, cut, and keep clear all trees and undergrowth and other obstructions within said right-of-way and on lands of Grantors adjoining said right-of-way that may interfere with the proper construction, operation, and maintenance of such facilities or any part of them, the right to mark the location of any underground facilities by above-ground markers and other suitable markers, and the right of ingress and egress for personnel and equipment of Grantee, its contractors, agents, successors or assigns, over the adjoining lands of the Grantors, for the purpose of exercising and enjoying the rights granted by this easement and any or all of the rights granted hereunder.

Grantors, their heirs, successors and assigns, shall have the right to use and occupy the surface of the easement area for any purpose consistent with the rights and privileges herein granted

RECORDED BY
 TRENT VOGES, D.C.

and which will not endanger or interfere with the construction, maintenance, and operation or reconstruction of Grantee's utility installations.

By the execution hereof, Grantors covenant that they have the right to convey this easement and that the Grantee and its successors and assigns shall have quiet and peaceful possession, use, and enjoyment of this easement and the rights granted hereby.

IN WITNESS WHEREOF, the Grantors have executed this Agreement this 1st day of July 1998.

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF:

* Karen L. Murphy
First Witness (Signature)

* KAREN L. MURPHY
Printed, Typewritten, or Stamped Name of
First Witness

* Rose M. Brown
Second Witness (Signature)

* ROSE M. BROWN
Printed, Typewritten, or Stamped Name of
Second Witness

* Karen L. Murphy
First Witness (Signature)

* KAREN L. MURPHY
Printed, Typewritten, or Stamped Name of
First Witness

* Rose M. Brown
Second Witness (Signature)

* ROSE M. BROWN
Printed, Typewritten, or Stamped Name of
Second Witness

STATE OF FL
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 1st day of July 1998, by Steve R. Singletary and Heidi L. Singletary, husband and wife, who are personally known to me or who have produced DL# 3524-757-63-446-0 as identification.

*(NOTARIAL SEAL)

* Sylvia M. Haley
Signature of Notary Public

*
Name of Notary Public Typewritten, Printed or Stamped

*
Serial number, if any (Commission Number) CC534667

My commission expires: Feb. 21, 2000

DR2986 PG235B

98 JUL 14 PM 2:40
CHARLIE GREEN, CLERK
LEE COUNTY, FL



SYLVIA M. HALEY
My Commission CC534667
Expires Feb. 21, 2000

Easement – FL – Page 1

appurtenances of Grantee located thereon, in whole or in part, and performed at the will of the Grantee; it being the intention of the parties hereto that Grantor may continue to use the surface of the Easement for agricultural purposes; provided, however, that Grantor shall neither impound water, construct nor permit to be constructed any building, structure or other improvement upon the easement strip which would directly interfere with the exercise by Grantee of the rights hereby conveyed, including ingress to and egress from the Easement, and the safe operation of the pipeline.

As further consideration for the payments made and to be made by Grantee hereunder, Grantor and Grantee further agree with respect to the pipeline:

- (a) That during construction, Grantee will bury the pipeline to provide a minimum cover of thirty-six inches (36"), except in rock where a minimum cover of twenty-four inches (24") will be provided.
- (b) That Grantee will pay for any damages to the growing crops, grasses, trees, shrubbery, unrepaired water courses, water impoundments, fences, or other property of Grantor caused by the construction, inspection, repair, replacement, removal, maintenance or operation of the pipeline located on the Lands; provided, however, that Grantee shall have the right (without liability for damages) from time to time after initial construction of the pipeline to reclear the Easement cutting and removing therefrom trees, brush and other obstructions that may, in the judgment of Grantee or pursuant to regulatory requirements, interfere with the use of the Easement by Grantee.
- (c) That Grantee will restore the surface of all disturbed areas on the Lands to its original contour as nearly as practicable, the damage to which shall have been occasioned by the construction, maintenance, operation, repair, inspection, replacement or removal of the pipeline on, under, above, across or through the Lands.
- (d) That Grantee may displace any gopher tortoises found within the Easement or the Construction Easement to another location on the Lands, or the gopher tortoises may be displaced off-site (e.g., to a temporary holding pen), and returned as near to their original location as practicable after construction is completed.
- (e) That Grantee shall cause all rock excavated from the trench across tillable portions of the Lands and having a diameter of three inches (3") or more, to be removed from the Easement in a reasonable manner satisfactory to Grantor when such rock cannot be replaced in the trench to a depth consistent with that of rock in adjacent lands unaffected by the construction of the pipeline.
- (f) That this instrument may be executed in counterparts, all of which together shall constitute a single document.
- (g) That the rights of Grantee under the provisions of this instrument may be assigned in whole or in part.

(h) That Grantor represents that the Lands are leased or rented to N/A, for the period beginning _____, 199____, and ending _____, 199____.

(i) That Grantor does hereby fully warrant the title to the Lands and will defend the same against the lawful claims and demands of all persons whomsoever; and, Grantor shall receive payment hereunder in such proportion as the interest of Grantor bears to the full fee simple title.

(j) That Exhibit "A" describes the Lands and Exhibit "A-1" describes the centerline of the Easement and both exhibits are attached hereto and by this reference are made a part hereof for all purposes.

(k) That this instrument incorporates and describes all of the grants, undertakings, conditions and consideration of the parties. Grantor, in executing and delivering this instrument, represents that Grantor has not relied upon any promises, inducements or representations of Grantee or its agents or employees, except as are set forth herein.

This instrument and the benefits and obligations herein contained shall inure to the benefit of and be binding and obligatory upon Grantor and the heirs, executors, administrators, personal representatives, successors and assigns of Grantor and upon Grantee and the successors and assigns of Grantee.

DATED THIS 17 day of NOV., 19 99

WITNESSES:

GREG HARSIBEEGER

Name: GREG HARSIBEEGER

Address: PO BOX 380877

MURDOCK, FL 33938

Laurie Marshall

Name: P.O. Box 380877 Laurie Marshall

Address: _____

Murdoch, FL 33938

GRANTOR:

STEVE R SINGLETARY

STEVE R. SINGLETARY

Address: 18300 State Rd 31

Ala, 33930

Steve R. Singletary
 Name: Steve R. Singletary

Address: P.O. Box 384973

Murlock, FL 33938

Laurie Marshall

Name: Laurie Marshall

Address: P.O. Box 380877

Murlock, FL 33938

Heidi L. Singletary
 HEIDI L. SINGLETARY

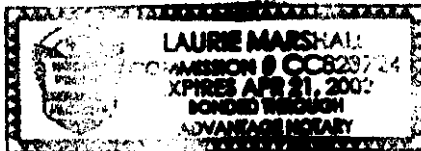
Address: 18200 State Road 31

Alva, FL 33920

ACKNOWLEDGEMENTS

STATE OF FLORIDA)
 COUNTY OF Lee)

The foregoing instrument was acknowledged before me this 17th day of November, 1999,
 by Steve R. Singletary who is personally known to me or has produced
Driver's License (type of identification) as identification.



Laurie Marshall
 Notary Public
 Name (Printed): Laurie Marshall
 Address: P.O. Box 380877
Murlock, FL 33938

My Commission Expires: 4-21-03

STATE OF FLORIDA)
COUNTY OF Lee)

The foregoing instrument was acknowledged before me this 17th day of November, 1999,
by **Heidi L. Singletary** who is personally known to me or has produced
Driver's License (type of identification) as identification.



Laurie Marshall
Notary Public
Name (Printed): Laurie Marshall
Address: P.O. Box 380877
Murdoch, FL 33938

My Commission Expires:

EXHIBIT "A"

Attached to and made a part of that certain
EASEMENT dated _____, 1999
by and between Steve R. Singletary and Heidi L. Singletary, as Grantor,
and FLORIDA GAS TRANSMISSION COMPANY as Grantee

DESCRIPTION OF LANDS

A tract or parcel of land lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, said corner lying on the Westerly right-of-way line of State Road 31 (100.00 feet wide) thence run S 88 degrees 46' 28" E for 100 feet to the Easterly right-of-way of said State Road 31 (basis of bearings), thence run N 00 degrees 26' 31" W along said Easterly right-of-way line for 811.99 feet to the point of beginning to the herein described parcel:

From said point of beginning continue running N 00 degrees 26' 31" W along said right-of-way line for 569.02 feet; thence run S 88 degrees 53' 02" E for 1290.40 feet, thence run S 00 degrees 16' 25" W for 569.02 feet, thence run N 88 degrees 52' 38" W for 1283.29 feet to the point of beginning.

Said parcel contains 16.81 acres more or less.

Said parcel is subject to easements, restrictions, reservations, and right-of-ways of record if any, and taxes for the current and all subsequent years. All as more fully described in a deed of conveyance dated June 17, 1998, recorded in Book 2974, Page 2172, Lee County, Florida Records.

LEE COUNTY, FLORIDA

T-43-S, R-26-E, SECTION 18



MICHAEL L. GREENWELL
TRACT NO. FL-LE-004.000

STEVE R. SINGLETARY, et ux
TRACT NO. FL-LE-004.005
CL PIPE 569.77 FEET OR 34.53 RODS

PATRICK COCHRANE, et ux
TRACT NO. FL-LE-005.000

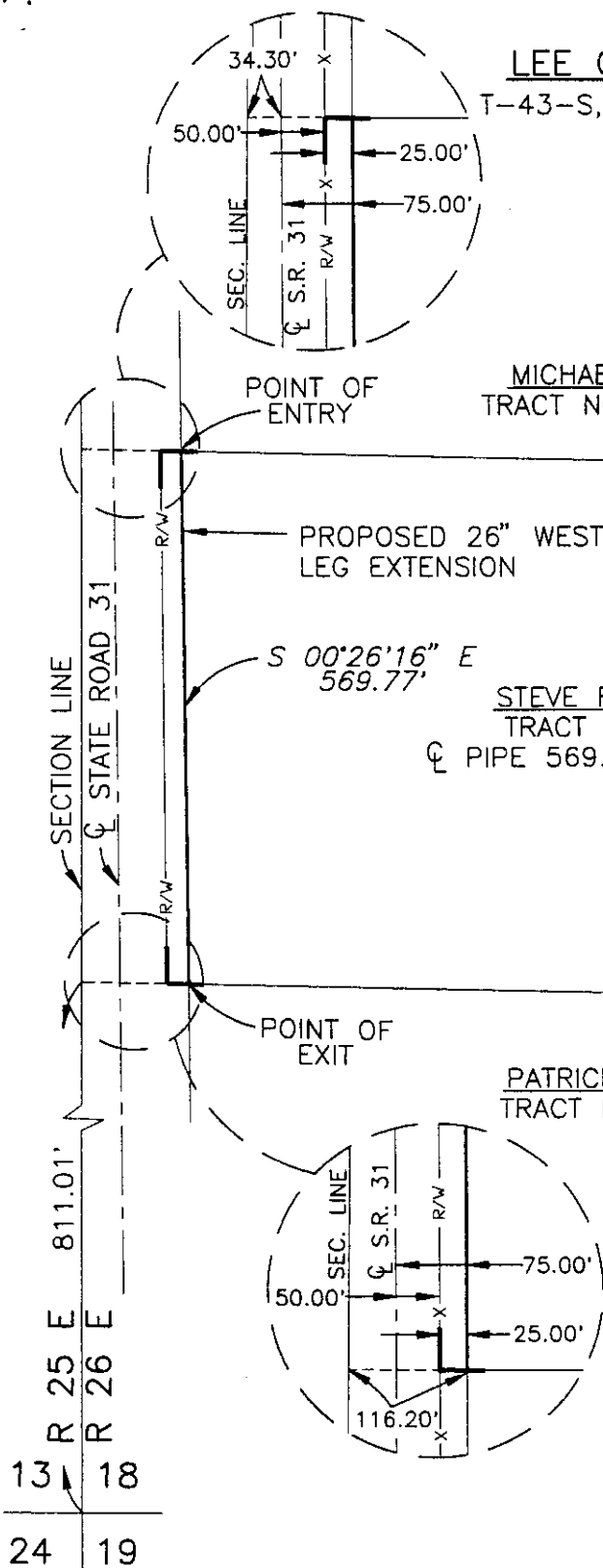


EXHIBIT "A-1"

P.L. OR Sta. Account No.			W.O. J00227			Construction			
Micfilm File No.	Mfilm By	Date	Dr. By R.L.B.	Date 6-4-99	Scale 1"=200'				
Revision - Description	By	App.	Dwg. Stat.	Ckd. By	Date	App. By	Date	App. By	Date
			Prel'y.	M.H.C.	6-4-99	E.E.B.	6-7-99		
			Bid						
			Const.						

F&T Technical Services
Maitland, Florida

PROPOSED 26" WEST LEG
LATERAL EXTENSION
CROSSING PROPERTY OF
STEVE R. SINGLETARY, et ux
LEE COUNTY, FLORIDA

**Florida Gas
Transmission
Company**

An **ENRON** / **CONOCO** Affiliate

DWG. NO.
P9-204.5

INSTR # 4804543

OR BK 03215 PG 3698

RECORDED 02/01/00 01:09 PM

CHARLIE GREEN CLERK OF COURT

LEE COUNTY

RECORDING FEE 37.50

DOC TAX PD (F.S. 201.02) 998.20

DEPUTY CLERK D Seny

Instrument Prepared By and Return To:

Paulette U. Trepl

Right of Way Department

Florida Gas Transmission Company

301-B North Parsons Avenue

Brandon, Florida 33510

37.50 R
998.20 DS

Grantee:

Florida Gas Transmission Company

1400 Smith Street

Houston, Texas 77002

EASEMENT

(Individual Grantor - Florida)

TRACT NO: WLEG FL-LE-004.000**KNOW ALL MEN BY THESE PRESENTS:**

THAT MICHAEL L. GREENWELL and TRACY GREENWELL, husband and wife, whether one or more, hereinafter referred to as the "Grantor," being the owner of, or having an interest in, that certain tract of land situated in the County of Lee, State of Florida and more particularly described on Exhibit "A" attached hereto, hereinafter referred to as the "Lands", for the initial payment of Ten and No/100 Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged, and for the additional payment of One Hundred Forty Two Thousand Five Hundred and No/100 Dollars (\$142,500.00) for the permanent and perpetual easement strip, the temporary work space and the contractor staging area herein conveyed, to be paid on or before March 15, 2000, does hereby grant, convey, and warrant to **FLORIDA GAS TRANSMISSION COMPANY**, a Delaware corporation, 1400 Smith Street, Houston, Texas 77002, hereinafter referred to as "Grantee", and to its successors and assigns, the exclusive and perpetual right, privilege and easement to construct, maintain, operate, inspect, repair, replace or remove a pipeline, and appurtenances thereto, for the transportation of natural gas on, under, above, across and through a part and strip of the Lands fifty feet (50') in width, hereinafter referred to as the "Easement," together with the right to utilize portions of the Lands not more than fifty feet (50') in width for the purpose of temporary work space during initial construction and installation of the pipeline, except, at road crossings, tile crossings, river and stream crossings or areas with unusual construction problems where additional temporary work space may be utilized, hereinafter collectively referred to as the "Construction Easement".

In addition to the above, Grantee shall have the right to install and operate the pipeline and appurtenances thereto within the Easement, and shall have the right and option to operate the pipeline for its own use or to lease, sell or assign any or all of the capacity of the pipeline, or the rights thereto.

TO HAVE AND TO HOLD unto Grantee, it successors and assigns, together with the right of ingress to and egress from the Easement and the Construction Easement by means of the Easement, the Construction Easement and adjacent easements of Grantee for the purposes of constructing, operating, inspecting, repairing, maintaining, replacing or removing the pipeline

and appurtenances of Grantee located thereon, in whole or in part, and performed at the will of the Grantee; it being the intention of the parties hereto that Grantor may continue to use the surface of the Easement for agricultural purposes; provided, however, that Grantor shall neither impound water, construct nor permit to be constructed any building, structure or other improvement upon the easement strip which would directly interfere with the exercise by Grantee of the rights hereby conveyed, including ingress to and egress from the Easement, and the safe operation of the pipeline.

As further consideration for the payments made and to be made by Grantee hereunder, Grantor and Grantee further agree with respect to the pipeline:

(a) That during construction, Grantee will bury the pipeline to provide a minimum cover of thirty-six inches (36"), except in rock where a minimum cover of twenty-four inches (24") will be provided.

(b) That the consideration stated above includes the agreed total cost and expense necessary for Grantor to transport all cattle to and from the Lands and lands leased by Grantor from third parties ("Leased Lands"), relocate and to feed such cattle and other livestock during the initial construction and installation of the pipeline. The transportation and relocation of the livestock shall be at the sole risk of Grantor and Grantor hereby releases Grantee from all claims and losses resulting from injury or death resulting from the transportation, relocation and feeding of the livestock during the period of time specified by Grantee. Grantor shall, in the sole judgment of Grantee, determine the commencement and termination dates during which the livestock relocation provisions of this Paragraph will apply and shall notify Grantor of such dates.

Subject to the limitations set forth in this Easement agreement, Grantee will pay for any damages to the growing crops, grasses, trees, shrubbery, unrepaid water courses, water impoundments, fences, or other property of Grantor caused by the construction, inspection, repair, replacement, removal, maintenance or operation of the pipeline located on the Lands; provided, however, that Grantee shall have the right (without liability for damages) from time to time after initial construction of the pipeline to reclear the Easement cutting and removing therefrom trees, brush and other obstructions that may, in the judgment of Grantee or pursuant to regulatory requirements, interfere with the use of the Easement by Grantee.

(c) That Grantee will restore the surface of all disturbed areas on the Lands to its original contour as nearly as practicable, the damage to which shall have been occasioned by the construction, maintenance, operation, repair, inspection, replacement or removal of the pipeline on, under, above, across or through the Lands.

(d) That Grantee may displace any gopher tortoises found within the Easement or the Construction Easement to another location on the Lands, or the gopher tortoises may be displaced off-site (e.g., to a temporary holding pen), and returned as near to their original location as practicable after construction is completed.

(e) That Grantee shall cause all rock excavated from the trench across tillable portions of the Lands and having a diameter of three inches (3") or more, to be removed from the Easement in a

reasonable manner satisfactory to Grantor when such rock cannot be replaced in the trench to a depth consistent with that of rock in adjacent lands unaffected by the construction of the pipeline.

(f) That Grantor shall have the right to construct a paved or unpaved access road across the Easement subject to the following limitations and conditions: (1) the road shall be constructed perpendicular, and not parallel, to the Easement; (2) no excavation shall be undertaken on the Easement by Grantor without 5 days prior notice to the Florida Sunshine State One-Call system; (3) any excavation on the Easement shall be subject to the reasonable conditions imposed by Grantee for such excavation operations; (4) use of the road shall be at the sole risk of Grantor and the agents and invitees of Grantor; (5) use of the road over the Easement shall be limited to normal automobile and light truck traffic; (6) Grantee shall have the right to remove the road during the construction, inspection, repair, replacement, removal, maintenance or operation of the pipeline without liability to Grantor for damages; (7) Grantee shall have the right to utilize the road as a means of ingress to and egress from the Easement, (8) repair and maintenance of the road shall be at the sole cost and expense of Grantor; and (9) Grantor shall not change the grade of the Easement or the minimum cover over the pipeline pipe during the installation of any road across the Easement.

(g) That the consideration stated above includes the total agreed compensation for the use by Grantee of a portion of the Lands as a contractor staging area. The staging area shall be approximately five acres in size at location on the Lands adjacent to the existing access road as agreed to by Grantor and Grantee. The right of Grantee to use and occupy Grantor's roads and the staging area shall be for a period of time commencing on the date of this Easement agreement and terminating on the date that all cleanup and restoration operations are completed by Grantee. Grantee shall have the right: (1) to use the existing access roads of Grantor for purposes of ingress to, and egress from, the staging area; (2) to construct an access entrance into the staging area and/or to modify any existing entrance to suit Grantee's needs, all at Grantee's expense and (3) to fence all or any portion of the staging, at the expense of Grantee and restrict unlawful access to the staging area by all other parties, whomsoever, excluding Lessor. Grantee shall repair all damages to the existing road that occur as a result of Grantee's operations on the staging area. Grantee, at the expense of Grantee, will restore, as near as is reasonably practicable, and re-seed the surface of the staging area upon surrender of the staging area by Grantee. At the request of Grantor, Grantee will remove all gates and fencing from the staging area.

(h) That this instrument may be executed in counterparts, all of which together shall constitute a single document.

(i) That the rights of Grantee under the provisions of this instrument may be assigned in whole or in part.

(j) That Grantor represents that the Lands are leased or rented to _____, for the period beginning _____, 199 ____, and ending _____, 199 ____.

(k) That Grantor does hereby fully warrant the title to the Lands and will defend the same against the lawful claims and demands of all persons whomsoever; and, Grantor shall receive payment hereunder in such proportion as the interest of Grantor bears to the full fee simple title.

(l) That Exhibit "A" describes the Lands and Exhibit "A-1" describes the centerline of the Easement. Exhibit "A" and Exhibit "A-1" are attached hereto and by this reference are made a part hereof for all purposes.

(m) That this instrument incorporates and describes all of the grants, undertakings, conditions and consideration of the parties. Grantor, in executing and delivering this instrument, represents that Grantor has not relied upon any promises, inducements or representations of Grantee or its agents or employees, except as are set forth herein.

(n) That this Easement agreement is entered into by Grantor under the threat of the initiation of eminent domain proceedings and the consideration stated above is paid as an negotiated and agreed settlement amount in lieu of all damages to the remaining real and personal property, attorney's and expert's fees, costs and out of pocket expenses which could be incurred in connection with such eminent domain proceedings.

(o) That, in order for Grantor to have time to remove the livestock from the Lands and/or the Leased Lands, Grantee will provide Grantor with ten (10) days advance notice prior to commencement of initial pipeline construction and installation operations on the Lands and the Leased Lands. Such notices may be given verbally in person or by telephone or in writing by hand delivery or by facsimile transmission to Grantor. During initial construction of the pipeline, Grantee agrees, to the best of Grantee's ability, to expedite construction operations across the Lands and Leased Lands. Subject to the limitation of this of this Paragraph, Grantee represents and agrees that the initial installation of the pipeline will not take more than six (6) months from the time of entry to completion of construction on the Lands and each of the Leased Tracts. This time period is applicable to the Lands and the Leased Lands individually and not cumulatively. In addition, the time period shall be automatically extended for any period of delay caused by force majeure or any event beyond the control of Grantor.

For purposes of this Easement agreement, the term "force majeure" shall mean any cause beyond the reasonable control of, and not due to the fault or negligence of, Grantee, and which could not have been avoided by the due diligence and use of reasonable efforts of Grantee, including but not limited to, drought, flood, earthquake, storm, fire, epidemic, war, riot, civil disturbance, sabotage by persons other than employees of Grantee, explosions, strikes or labor disputes, the presence on the Lands or the Leased Lands of pre-existing Hazardous Materials or archaeological structures requiring special handling, geological subsurface conditions, loss of hole or stuck pipe, orders or judgments of any governmental authority, the absence, suspension, termination, interruption, denial or failure of renewal of any permit, the closing of harbors, docks, canals, railways, or other assistance to or adjuncts of the shipping, navigation, or transportation of or within any place, or any change in law.

(p) That during initial construction of the pipeline, Grantee agrees, to the best of Grantee's ability, to expedite construction on the Lands and the Leased Lands. The expedited construction operations will be conducted by Grantee in order to minimize interruption to the daily dairy activities of Grantor, including the movement of dairy tankers along the existing road.

This instrument and the benefits and obligations herein contained shall inure to the benefit of and be binding and obligatory upon Grantor and the heirs, executors, administrators, personal representatives, successors and assigns of Grantor and upon Grantee and the successors and assigns of Grantee.

DATED THIS 26 day of January, 2000.

WITNESSES:

Laurie Marshall

Name: Laurie Marshall

Address: 812 S. Regent
Brandon, FL 33511

GREG HARMONBERGER

Name: GREG HARMONBERGER

Address: P.O. Box 380877
MURDOCK, FL 33938

GRANTOR:

Michael L. Greenwell
MICHAEL L. GREENWELL

12250 North River Road
Alva, FL 33920

WITNESSES:

Laurie Marshall

Name: Laurie Marshall

Address: 812 S. Regent
Brandon, FL 33511

GREG HARMONBERGER

Name: GREG HARMONBERGER

Address: P.O. Box 380877
MURDOCK FL 33938

GRANTOR:

Tracy Greenwell
TRACY GREENWELL

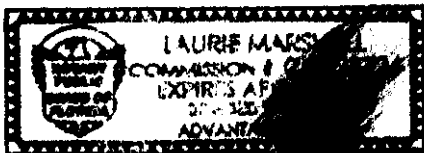
12250 North River Road
Alva, FL 33920

ACKNOWLEDGEMENTS

STATE OF FLORIDA)(

COUNTY OF Lee)(

The foregoing instrument was acknowledged before me this 26th day of January, 2000, by **MICHAEL L. GREENWELL** who is personally known to me or has produced _____ (type of identification) as identification.



Laurie Marshall
Notary Public

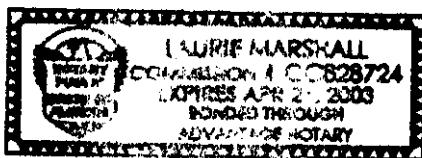
Name (Printed): Laurie Marshall
Address: 812 S. Regent Circle
Brandon FL 33511

My Commission Expires: 4-21-2003

STATE OF FLORIDA)(

COUNTY OF Lee)(

The foregoing instrument was acknowledged before me this 26th day of January, 2000, by **TRACY GREENWELL** who is personally known to me or has produced _____ (type of identification) as identification.



Laurie Marshall
Notary Public

Name (Printed): Laurie Marshall
Address: 812 S. Regent Circle
Brandon, FL 33511

My Commission Expires: 4-21-2003

EXHIBIT "A"

Attached to and made a part of that certain
EASEMENT dated 1-26-, 2000
by and between

MICHAEL L. GREENWELL and TRACY GREENWELL, as Grantor,
and FLORIDA GAS TRANSMISSION COMPANY, as Grantee

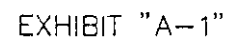
DESCRIPTION OF THE LANDS

A tract or parcel of land lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida. Being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, said corner lying on the Westerly right of way Line of State Road 31, (100 feet wide), thence run S 88 degrees 46' 28" E for 100 feet to the Easterly right of way of said State Road 31 (basis of bearings); thence run N 00 degrees 26' 31" W along said Easterly right of way line for 811.99 feet to the Point of Beginning to the herein described parcel. From said Point of Beginning continue running N 00 degrees 26' 31" W along said right of way line for 3019.07 feet to a Point of Curve to the right with a Delta angle of 00 degrees 05' 37", a radius of 68704.96 feet, a chord of 112.20 feet that bears N 00 degrees 31' 31" W; thence run Northerly along said curve for 112.20 feet; thence run S 88 degrees, 51' 56" E for 1322.57 feet; thence run S 00 degrees 16' 25" W for 3130.17 feet; thence run N 88 degrees 52' 38" W for 1283.29 feet to the Point of Beginning.

Said parcel contains 93.61 acres, more or less.

Said parcel is subject to easements, restrictions, reservations and right of ways of record. All as more fully described in a deed of conveyance dated December 24, 1996, recorded in Book 2776 Page 737, Official Records of Lee County, Florida.



DWG. NO. P9-204

2944628

LEE COUNTY ORDINANCE NO. 86-14

AN ORDINANCE RELATING TO GARBAGE AND SOLID WASTE COLLECTION WITHIN LEE COUNTY; CREATING MUNICIPAL SERVICE BENEFIT UNITS AND A SPECIAL DISTRICT UNIT TO INCLUDE INCORPORATED AREAS OF THE COUNTY; TO BE KNOWN AS SOLID WASTE AND MANDATORY COLLECTION UNITS FOR SERVICE AREAS; PROVIDING FOR THE PURPOSE OF DISPENSING OF SOLID WASTE AND THE BOUNDARIES; ESTABLISHING A GOVERNING BODY WITH POWERS AND DUTIES; PROVIDING FOR RESIDENTIAL AND COMMERCIAL COLLECTION; MANDATING SERVICES AND PAYMENT FOR SAME; LEVING SPECIAL ASSESSMENTS AND COLLECTION; PROHIBITING UNLAWFUL DISPOSAL; PENALTIES, SEVERABILITY, SUPPLEMENTAL AUTHORITY AND EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County, Florida finds that there is an inordinate amount of littering of and illegal dumping on the public right-of-way and private lands of Lee County, with garbage and waste generated within the residential and non-residential units of the County, resulting in the necessity for more stringent regulation of Garbage and Solid Waste collection practices within the County; and,

WHEREAS, Lee County has determined that a substantial number of commercial entities and residents in the County do not subscribe to a garbage or trash collection disposal service; and,

WHEREAS, the Courts of the State of Florida have determined that levies of fees for garbage and waste collection similar to those levied herein by Lee County are and can be levied as special assessments; and,

WHEREAS, it has been determined that it is necessary for the Board to exercise its authority under Florida Statute

RECORD VERIFIED - CHARUE GREEN, CLERK
BY G. SHERWOOD, D.C.

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Section 125.01(1)(q)(r) and 125.01(5)(a)(b) to create six (6) municipal service benefit units and Special District Benefit Units for garbage and waste collection in the unincorporated and a portion of the incorporated area of the County from funds derived from Special Assessments within such units and/or Districts only; and.

WHEREAS, it has been determined that it is necessary for the promotion of common interest and good of the people of the County to provide for the effectuation in financing of garbage and waste collection and disposal and it is necessary to the health, welfare and safety of the citizens and residents and commercial operations within the unincorporated and a portion of the incorporated area that the service be regulated through the use of a franchise for a particular service area in which the residential unit or commercial property is located; and,

WHEREAS, the County has determined that it is the most appropriate method to implement Municipal Service Benefit Units and Special District Benefit Unit by the levy of Special Assessments against residential units within the Benefit Units for the collection and disposal of garbage and waste reflecting the benefits of the provisions of such service.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION 1. CREATION, PURPOSE, DECLARATION OF BENEFIT

There is to be established hereby municipal service benefit units pursuant to the authority granted in Section 125.01(1)(q)(r) Florida Statutes. There is further hereby

established a Special District to provide garbage and waste collection within portions of the incorporated area of the County. Said municipal service benefit units and Special District Benefit Unit shall be known as Lee County Solid Waste and Mandatory Collection Unit Service Areas No. 1 to No. 6, respectively. Benefit Unit Service Areas No. 1 to 6 shall consist of a specific portion of all of the unincorporated area of Lee County, Florida, as described in the description for each of said (6) benefit units, as set forth in Exhibit "A" attached hereto and incorporated herein. Each of said municipal service benefit units shall consist of the specifically described portion of all unincorporated area of Lee County. Benefit Unit Service Areas No. 7 and 8, are created as a Special District pursuant to F.S. 125.01(5)(a)(b) and includes both incorporated and unincorporated areas in order to provide for the levy of special assessments within such District to finance the service of garbage and solid waste collection therein. It is the intent of this Ordinance that the legal descriptions of the service areas included within the Benefit Units correspond to the areas covered by the Solid Waste Collection Service Franchises granted Contractors pursuant to 61-2397, Laws of Florida.

As of October 1, 1988, all areas as described in this Ordinance that are within the incorporated limits of any municipality can be excluded at the option of the municipality.

And further, it is the purpose of these units to promote the common interest of the people of the County, to provide for

the effectuation of garbage and waste collection and disposal through the levy of a special assessment against residential units, and which, because of varying needs and benefits of commercial operators, commercial operators cannot be made subject to a special assessment; and to promote the health and welfare and safety of the citizens and residents of the collection service units by providing adequate garbage and waste collection and disposal through the regulated services of a franchisee contractor.

SECTION 2. STATEMENT OF COUNTY INTENT

It is the intent of the County to require all persons within the unincorporated areas of the County and Special Districts to have their Solid Waste collected and disposed of in a proper, sanitary and efficient manner; to provide all persons with a sanitary and efficient manner; to provide all persons with a sanitary and efficient means of having their Solid Waste collected and disposed of; to eliminate illegal dumping; to provide an effective method of collecting the cost for the services rendered; and to promote the health, safety, and welfare of the citizens of the County.

It is hereby declared and determined by the County that the Solid Waste collection and disposal services provided pursuant to this Ordinance and corresponding franchise contracts including, but not limited to, the accomplishment of the intent stated herein, shall and do constitute a benefit to each Commercial and Residential Service Unit, equal to, or in excess of, the cost of providing such Solid Waste collection and

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disposal service and which such service benefit said residential property values.

Except as provided in Section 6(7) herein, it is the intent of the County that collection and hauling of Solid Waste is to be done only by those authorized by the County and that disposal shall be done only at County designated Solid Waste Facilities.

SECTION 3. DEFINITIONS:

For the purpose of this Ordinance, the definitions contained in this section shall apply unless otherwise specifically stated. When not inconsistent to the context, words used in the present tense, include the future, words in the plural include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely discretionary.

1. Board shall mean the Board of County Commissioners of Lee County, Florida.
2. Benefit Unit refers to each of the eight (8) Municipal Service Benefit Units and Special District Units existing under Section 1 hereof, unless specifically indicated to the contrary.
3. Commercial Collection Service means service to include but not limited to Commercial Property which properties are all hotels, motels, parks containing mobile homes, trailers, manufactured housing and recreational vehicles, commercial (wholesale/retail), manufacturing, industrial and institutional

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enterprises of all types licensed to do business in Lee County. Commercial properties shall be all properties other than those listed in paragraph 14 below, including condominiums consisting of more than 4 units.

4. Container shall mean and include any detachable container designed or intended to be mechanically dumped into a packer type garbage truck used by contractors and varying in size. Such container is to be maintained so as to be leak proof and rodent resistant.
5. Contractor means those firms authorized by Franchise Contract with the County to provide solid waste collection services.
6. County shall mean Lee County, Florida.
7. Customer shall mean all persons, corporations, partnerships, or other entities owning residential units or commercial property within a benefit unit that is within a contractor's service area and all other persons subscribing to the garbage and waste service as provided by the contractor and terms of this ordinance.
8. Extraordinary Waste shall include items of such bulk or weight so as to prevent two (2) persons from lifting it or require extraordinary management that include but are not limited to abandoned automobiles and boats, waste oil, sludges, septic tank pumpage,

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tree trunks greater than 4 inches in diameter.

9. Garbage shall mean animal, fruit and vegetable waste, either alone or in combination with other putrescible matter resulting from the handling, storage, sale, preparation, cooking, serving or consumption of foods; which are subject to decomposition or decay. These wastes and the containers in which such items are packaged shall be contained to prevent the generation of noxious gases and odors, the breeding of flies and other insects and the feeding of rodents.
10. Garbage Receptacle shall mean and include any steel, plastic, or galvanized receptacle. Receptacles shall be of the design that allows for easy lifting with two (2) handles and of not more than 35 gallons capacity. These receptacles are to have tight fitting lids, plastic lids, plastic bags of heavy mil construction are also considered garbage receptacles. Receptacles generally pertain to residential use.
11. Hazardous Waste shall mean wastes that are inherently dangerous to handle or dispose of. These wastes include radioactive substances, toxic chemicals, biological wastes, flammable wastes, explosives and certain items found in the home to include, but not limited to pool chlorine and paint thinner.
12. Horticultural Trash or Garden Trash shall mean solid waste that is an accumulation of lawn, grass, or shrubbery cuttings, work clippings and dry leaf

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rakings, palm fronds, small tree branches not exceeding four (4) feet in length and four (4) inches in diameter, bushes or shrubs, green leaf cuttings, fruits or other matter usually created as refuse in the care of lawns and yards except large branches, trees, or bulky and non-containerized material not susceptible to normal loading and collection in packer type sanitation equipment used for regular collection from domestic households (limbs from tree trimmings not exceeding four (4) feet in length and four (4) inches in diameter may be placed at the curbside for residential pick up).

13. Industrial Waste) shall mean any solid waste accumulations of metal, metal products, minerals, chemicals, rocks, building rubble, cement, asphalt, tar, oil, grease, glass, crockery, rubber, rubber tires, bottles, cans, lumber, sawdust, waste from animal packing or slaughter houses and other materials which may be created by an industrial, construction, or manufacturing operation.
14. Residential Collection Service shall mean service to residential dwelling units which shall include the following property types, together with the use codes employed by the office of the Lee County Property Appraiser.

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- | <u>Property Type</u> | <u>User Code</u> |
|---|------------------|
| Single Family | 01 |
| Mobile Home | 02 |
| Miscellaneous Residential
(migrant camps, boarding
homes, etc.) | 07 |
| Multi-family -- less than 10 units | 08 |
| Condominia -- less than 4 units | 04 |
15. Refuse shall be interchangeable with the term "solid waste". To avoid confusion, refuse will not be used in this text.
16. Rubbish is a general term for solid waste excluding food waste and ashes taken from residences, commercial establishments, and institutions.
17. Service Area refers to the territorial boundaries of the unincorporated and incorporated area of Lee County as covered by a garbage and solid waste franchise contract granted by the Board of County Commissioners pursuant to 61-2397, Laws of Florida.
18. Assessment Fee may include: collection of garbage fee, disposal and/or landfill fee and the cost of administration.
19. Sludge means any solid or semi-solid or liquid generated from any water or wastewater treatment plant, air pollution control facility, septic tank, grease trap, portable toilet and related operations, or any such waste having similar characteristics or effect.

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20. Solid Waste means any garbage, rubbish, industrial waste, horticultural trash extraordinary waste or other semi-solid material resulting from domestic, commercial, industrial, agricultural, or governmental operations including refuse and special waste, excluding hazardous waste, sludge, septic tank pumpage, asphalt, tar, oil and grease.
21. Special Waste or Junk means any solid waste that requires additional management but which may be lifted by two persons and includes tires, white goods such as refrigerators or stoves, furniture such as sofas and mattresses, television sets, lawn mowers, shopping carts and bicycles.
22. Unsanitary nuisance is the commission of any act or the keeping, maintaining, propagation, existence or the permission of anything by an individual, municipality, organization, corporation, or other legal entity by which health or life may be threatened or impaired or by which directly or indirectly disease may be caused. The following conditions defined as nuisances injurious to health include: untreated and improperly treated human waste, garbage, offal, dead animals or dangerous waste materials from manufacturing processes harmful to human or animal life and are pollutant gases and noisome odors which are harmful to health, or to human and animal life; also the creation, maintenance or causing of any

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condition capable of breeding flies, mosquitos, or other arthropods, and rodents capable of physical harm and transmitting diseases directly or indirectly to humans.

SECTION FOUR. CREATION OF THE UNIT, PURPOSE AND BOUNDARIES

Pursuant to Section 1 hereof and the powers granted to the Board by the Constitution of the State of Florida and the Florida Statutes, in particular Section 125.01, Florida Statutes, the Board hereby creates effective 1 July, 1986 Municipal Service Benefit Units and a Special District Benefit Unit to be known collectively as the Solid Waste and Mandatory Collection Units Areas No. 1 to 8, respectively. Each Unit as described by Exhibit "A" attached hereto and incorporated herein. With the exception of the notice required by Section 125.66, Florida Statutes, and any other procedure required by State Statute prior to the enactment of an ordinance, any and all procedures, administrative or otherwise, which were required to be followed prior to the enactment of this ordinance shall be considered directory in nature and noncompliance with these procedures shall have no effect upon the validity of this ordinance constitutionally or otherwise.

The purpose of each Unit is to promote the common interests of the people of the County and to provide for the collection and disposal of solid waste through the levying of Special Assessments and a Service Charge as provided for herein and to promote the health, welfare, and safety of the citizens and residents of the Unit by providing adequate collection and

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disposal of solid waste through the regulated services of one or more franchises, agents or contractors or as provided in Section 6(7) hereof. These existing garbage and solid waste franchise contracts are hereby extended until 1995, with the terms and conditions of this Ordinance to become a part thereof. This provision extending said franchise contracts shall become effective when such contracts are duly amended and executed. The extension contract amendments shall be executed within 30 days from the effective date of this Ordinance.

The boundaries of the Municipal Service Benefit units shall be the unincorporated lands of Lee County, Florida as described herein. The boundary of the Special District and its Benefit Unit shall contain those incorporated lands of Lee County as described and incorporated herein.

SECTION FIVE. GOVERNING BODY

The Board shall be the governing body of the units hereby created.

SECTION SIX. GENERAL POWERS

The governing body shall have all the powers necessary or convenient to carry out the purposes of this Ordinance and such additional rights and powers as are provided by the Constitution of the State of Florida and the Laws of the State of Florida as granted to the counties. The governing body shall also have all powers not otherwise prohibited by law and these powers shall include, but are not limited to:

1. Sue or be sued, complain or defend in the name of the County in any and all courts or administrative agencies;

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2. Acquire by grant, purchase, gift, device, exchange, or in any other lawful manner any property, real or personal, or any estate or interest therein upon such terms and conditions as the governing body shall determine;
3. Enter into contracts with any qualified private, public, or municipal firm, person, or corporation for the furnishing of solid waste services within the boundaries of the unit;
4. Levy and collect without referendum, special assessments, or service charges as required for the collection of solid waste within the unit;
5. Adopt rules and regulations governing the Units through appropriate resolutions. The Board may provide by appropriate Resolution the procedure to establish, adjust and approve any Special Assessment or Service Charge.
6. Upon written request, grant variances or exemptions from this Ordinance for the following reasons:
 - (a) For financial hardship using as a standard the H.U.D. Section 8 Rental Assistance Program as to annual income, providing further that home ownership is not in and of itself an eliminating factor.
 - (b) The governing board finds that a residential unit is far distant or removed from the majority of the units in a service area so as to render

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collection impractical or economically inefficient. In this event, the governing board must find that solid waste generated by such a far distant or removed dwelling can be disposed of in a safe and sanitary manner. Either customer or contractor may request this finding from the governing board.

- (c) The governing board finds that a commercial property as defined herein or an association of residential dwelling units, owned and was using as of March 19, 1986 a compaction-packer type garbage truck for solid waste collection. In this event, such use may continue until January 1, 1990, if the following, in a form acceptable to the County, is submitted:

- (1) Proof that the compaction-type garbage truck is enclosed and was obtained from nationally known and recognized manufacturers of garbage collection and disposal equipment. The truck must at all times be kept in good repair, appearance, and in a sanitary clean condition.
- (2) Proof of public liability and property damage insurance with liability limits not less than One Hundred Thousand Dollars (\$100,000.00) with respect to injuries to any one person, and not less than Three

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Hundred Thousand Dollars (\$300,000.00) with respect to injuries suffered in any one accident and aggregate, and not less than Fifty Thousand Dollars (\$50,000.00) with respect to property.

- (3) Monthly payment to County of an amount equal to the amount which would be paid as franchise fee if franchisee contractor for that service unit had collected the solid waste.
 - (4) Receipts from County designated solid waste disposal facility proving that all solid waste was disposed of at County designated facility and that full payment was made for such disposal.
7. to adopt by resolution, standards and procedures wherein residential collection units may be reclassified for collection purposes as commercial collection units due to a substantial number of mixed collection units being located within a defined property area and it being further impractical or administratively inefficient to collect only a portion thereof as residential collection units. Such procedure may be used if the intent of this ordinance is not negated and further that the mandatory collection provisions hereof are best served by having the entire specific property area serviced as a commercial collection unit.

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SECTION SEVEN. DESCRIPTION OF SERVICE

All property within a Solid Waste and Mandatory Collection Unit Service Area shall be subject to mandatory garbage and solid waste collection services, as provided by this Ordinance effective 1 April, 1987 as set forth herein. Except as provided in Section 6(7), it shall be the responsibility of the governing body of the Units to provide either directly or indirectly through Agreements with franchised contractors the following services:

A. Residential Collection Services

The unit shall cause the collection and disposal of all solid waste except extraordinary waste, hazardous waste, and sludge from or generated by residential dwelling units, as defined, within the service area and shall be governed by the terms and conditions of the contractual agreements between the governing body and the contractor. Horticultural trash may be burned when done consistent with County, State and Federal Regulations.

B. Commercial Collection Service

The unit shall cause the collection and disposal of solid waste, except extraordinary waste, hazardous waste, and sludge; from or generated by any commercial or industrial use; or any mobile home park, trailer park, or recreational vehicle park, as defined in Section 3(3) hereof, or any commercial property and any use not contained within residential services classification and which are within the service area.

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SECTION EIGHT. SERVICE PAYMENT/PROPERTY OWNERS
RESPONSIBILITY

All property owners of improved property are mandated to subscribe to solid waste collection and service, and shall be subject to a fee in the amount set pursuant to this ordinance.

- A. Residential Collection Service. It shall be the responsibility of the property owners of a residential dwelling unit as defined in Section 3(14) to pay or cause to be paid to the County a Special Assessment incurred by the dwelling unit(s) for the benefits received by such dwelling. Failure to pay this charge shall be considered a violation of this ordinance and may be collected as provided herein or as otherwise provided by this Ordinance and the laws of the State of Florida.

It shall be the responsibility of the owner to provide approved receptacles adequate to contain all solid waste generated from residence(s) in accordance with the provisions herein. The owner shall not maintain or permit on the property an unsanitary nuisance injurious to the health as defined herein.

The County or its designated agent will be responsible for the billing and collection of payments in the residential collection service area through the levy of Special Assessments, as set forth in Sections 1, 4 and 9 hereof. The County will pay the Contractor/Franchisee in accordance with the separate corresponding franchise contracts.

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B. Commercial Collection Service.

It shall be the responsibility of all other property owners not within the residential collection service category and property owners of commercial property to dispose of their solid waste in a manner which would not be detrimental to the public health, safety, and welfare of the County. In this regard, it is required that the property owner(s) enter into an agreement with a franchisee or Contractor of the governing body of the unit to dispose of all solid waste. The Contractor shall be responsible for the billing and collection of commercial customer payments. If the owner of commercial properties defaults in payment to the Contractor, the Contractor may notify the County and the County and/or Contractor may proceed to collect such delinquent payment by legal process, to include such process as set forth herein for residential payments, to include the levy of a lien.

It shall be the responsibility of the owners and/or occupants of commercial establishments to provide approved container(s) adequate to contain all solid waste generated from commercial establishments in accordance with the provisions of Section 11(B). The owner shall not maintain or permit on the property an unsanitary nuisance injurious to the health as defined herein. The failure of a property owner not within the

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residential collection service category, or the failure of a property owner of commercial property to abide by the mandatory subscription provisions hereof, shall subject said property owner to a fine not to exceed \$250 for each day the violation continues.

SECTION NINE: ANNUAL GARBAGE AND WASTE COLLECTION;

SPECIAL ASSESSMENT:

There is hereby imposed an Annual Special Assessment for the collection and disposal of garbage and waste on all residential units within the benefit unit.

- A. In order to provide for the residential collection service and disposal of solid waste within the mandatory solid waste collection unit area described in Sections 1 and 4 above, there shall be a special assessment annually imposed by resolution for Residential Collection Service on each residential dwelling, as defined in Section 3(14) hereof, within the afore-described area.
- B. The fiscal year of the benefit unit shall commence on 1 October of each year and end on September 30 or on other dates the Board may designate. The Board annually shall consider, amend and adopt a budget for each benefit unit in a manner similar to that in which County budgets are considered and adopted.
- C. On or before April 1 of each year, each Contractor shall petition the Board for a rate review and adjustment in order that the Board may comply with the

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assessment procedures set forth herein. The Contractor's authority to exercise its franchise function pursuant to the provisions of this Ordinance and the franchise contract, as to be amended hereby, is subject to full compliance with the rate review procedure.

- D. On or before June 1 of each year, the Board shall deliver to the Lee County Property Appraiser the proper legal description of each municipal service benefit unit and special district unit, and on or before July 1 of each year, the Lee County Property Appraiser shall furnish the Board or its designee a copy of the Assessment Roll which shall include all properties subject to the Special Assessments described in this Ordinance. The Lee County Property Appraiser shall receive a fee for this service to be agreed upon between the Property Appraiser and the governing body of the units that being the Board as defined in this Ordinance.
- E. On or before the first day of August, the Board shall hold a public hearing to adopt a Special Assessment Rate resolution incorporating a schedule of annual collection special assessment to be imposed upon the owners of all residential units in the benefit units. Such schedule shall provide sufficient revenues to fund the collection of garbage and waste within the benefit units, and such rates shall be computed as

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provided in the separate corresponding franchise contracts entered into pursuant to Ch. 61-2397, Laws of Florida, as authorized in Section 7 herein and as defined as an assessment fee herein..

- F. Notice of the public hearing on the rate resolution shall be published by the Board in a newspaper of general circulation at least twice with the first publication being at least fifteen (15) days prior to the public hearing. Said public hearing may be continued to a date certain without the necessity of further newspaper advertisement or public notice.

SECTION TEN. CERTIFICATION OF RATE RESOLUTION:

Upon adoption by the Board of the rate resolution provided in Section 9 no later than August 10th, the Board or its designee shall forthwith deliver a certified copy of said rate resolution to the Tax Collector or other Board designee who will be responsible for collecting the annual special assessment. Based upon said rate resolution, the Tax Collector or other Board designee shall cause to be prepared an annual collection special assessment roll. Such roll shall contain a summary description of each residential unit within the County on the first day of January prior to the fiscal year for which the annual collection special assessment is to be imposed, the name and address of the owner of each such unit, and the amount of the annual collection special assessment applicable to each residential unit. The summary description of each residential

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unit shall be identified by the Florida Department of Revenue Use Code Numeric Application and in such detail as to permit ready identification of each unit on the real property assessment roll.

Upon the completion of the preparation of the annual collection special assessment roll, and no later than September 1, the Board shall at any regular or special meeting with 15 days published notice review the annual collection special assessment roll prepared by the Tax Collector or other Board designee for preparation in conformity with the rate resolution. The Board shall make such changes, modifications or additions as necessary to conform such roll with the rate resolution. If upon the completion of such review, the Board shall be satisfied that the annual collection special assessment roll has been prepared in conformity with the rate resolution, it shall ratify and confirm such roll and certify the roll to the Tax Collector or other Board designee for collection, no later than September 15th and assessment bills to be duly sent by October 15th of each year.

It is the intent of this Ordinance that the dates referenced in Section 9 and Section 10 hereof above are to be applied as of April 1987. The following listed dates as referenced by Section number of this Ordinance are to be applicable and effective until such time as solid waste service is commenced per Section Seven hereof. The dates are as listed per section number and provision of the Ordinance, respectively:

- A. Section 9(c), Petition for Rate Review. On or before August 1, 1986.

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- B. Section 9(d). Delivery of legal descriptions. By July 1st, 1986.
- C. Section 9(d). Copy of Assessment Roll provided. On or before August 1st, 1986.
- D. Section 9(e). Special Assessment Rate Hearing. On or before October 1st, 1986.
- E. Section 10. Delivery of Rate Resolution. On or before October 1st, 1986.
- F. Section 10. Review of Special Assessment Roll. On or before December 1, 1986.
- G. Section 10. Certification of Roll. On or before December 1, 1986.
- H. Section 10. Assessment Bills to be Sent. By February 1, 1987.

SECTION ELEVEN. GARBAGE AND WASTE COLLECTION SERVICE CHARGE
PRIOR TO INITIATION OF ANNUAL SPECIAL ASSESSMENT

A. A garbage and waste collection service charge shall be imposed against the owners of all residential units, for which Certificates of Occupancy are issued by the Lee County Building Department. Until an annual assessment is levied against such residential units in accordance with the procedures delineated herein, the amount of the garbage and waste collection service charge shall be calculated and based upon a monthly rate basis which monthly rate shall be one-twelfth of the annual collection special assessment set forth in the rate resolution for the benefit unit in which the residential unit is located. Said service charge will be due and payable at the time the residential unit receives a Certificate of Occupancy.

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B. The garbage and waste collection service charge shall be paid in full calculated upon the monthly rate basis until such time as an annual assessment can be levied against the residential unit. The charge shall be collected by an agent designated by the Board. The service charge collected shall be paid to the Contractors in correspondence with the franchise contracts. Failure of the residential owner to pay such charge shall not relieve the obligation of full payment.

C. The Contractor franchisee shall notify the Board of all residential units for which a bill becomes delinquent. All delinquent bills are chargeable against the owners of the residential units and shall constitute and are hereby imposed as liens against such residential units. Until fully paid and discharged or barred by law, said liens shall be equal in rank and dignity to the lien of County ad valorem taxes and special assessments and superior in rank and dignity to all other liens, encumbrances, titles and claims in and to or against the real property involved. The provisions contained in Section 12 of this Ordinance regarding the preparation and filing by resolution, of a notice of delinquent lien are also applicable to delinquent bills described in this paragraph. The initiation of the annual collection special assessment against the owner of residential units shall not release said owner from his responsibility hereunder.

SECTION TWELVE. SCOPE OF SPECIAL ASSESSMENT;

DELINQUENCY; LIENS:

The annual special assessment shall be imposed against

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the owners of all residential units for Residential Collection service in the benefit units if such residential unit is generating or is capable of generating garbage and waste on the first day of January prior to the fiscal year in which the annual collection special assessment is imposed, regardless of the occupancy of such property on said date. The owner and description of each residential unit property shall be that designated on the real property assessment roll maintained by the Property Appraiser of Lee County even though the Property Appraiser's Assessment Roll may not be current with regard to ownership. The annual collection special assessment shall be imposed upon the ratification and certification of the assessment roll and become due and payable by November 15th of each year or within sixty (60) days from the mailing of the original special assessment bill by the Tax Collector or other Board designee, whichever is later. All delinquent special assessments billed and collected by the Tax Collector or other Board designee shall bear interest at the legal rates as set forth by Florida Statutes and if not fully paid with all accrued interest by the due date of the next succeeded garbage and waste special assessment payment, additional interest at the rate of one (1) percent per month upon the due but unpaid principal portion of the special assessment payment shall be added successively for each month until fully paid. All annual special assessments imposed upon the owners of residential units under the provisions of this Ordinance becoming due and payable November 15th of each year or within 60 days from

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mailing the original bill as stated above shall constitute and are hereby imposed as liens against such residential units as of the date the special assessment becomes delinquent. Said annual collection special assessments shall remain liens equal in rank and dignity with the lien of the County ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles and claims in and to or against the real property involved.

If any annual collection special assessment lien becomes delinquent, the Board, upon receipt of the list of outstanding and delinquent annual special assessments from the Tax Collector or other Board designee shall, by resolution, record a notice of delinquent annual special assessment including all interest provided herein, a legal description of the residential units as indicated on the real property assessment roll maintained by the Property Appraiser of Lee County. Said notice of delinquent lien shall be recorded in the public records of Lee County, Florida, by the Board. Upon payment and receipt of the list for paid or discharged lien or liens from the Clerk of the Circuit Court acting as the Clerk of the Board, the Board shall also record a resolution satisfying said lien or liens.

SECTION THIRTEEN.

CORRECTION OF ERRORS AND OMISSIONS:

PETITION TO BOARD:

No act of error, omission or commission on the part of the Property Appraiser, Tax Collector, Board, Clerk, or their deputies or employees, or other Board designee shall operate to

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defeat the payment of the annual collection special assessment imposed by the Board under the provision of this Ordinance. Provided, however, any errors, or omission or commission may be corrected at any time by the officers or party responsible for them in like manner as provided under this Ordinance for performing such acts in the first place, and when so corrected they shall be construed as valid ab initio and shall in no way affect any process by law for the enforcement of the annual collection special assessment imposed under the provisions of this Ordinance.

The Board shall in accordance with the separate corresponding franchise contracts have the authority, at any time, upon its own initiative or in response to a timely filed petition from any affected owner of residential units to correct any error, omission or commission in the adoption of any annual collection special assessment roll or in the implementation of this Ordinance, including but not limited to, an error in including any residential unit within the scope of this Ordinance and any error in the circulation of the annual collection special assessment imposed against any residential unit.

Any owner of real property may petition the Board to correct any asserted error, omission or commission in relation to his property in the adoption of the annual collection special assessment roll or in the implementation of this Ordinance within ninety (90) days of the date the asserted error took place. Such petition shall be initiated by filing

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with the Board or its designee, a written petition containing the name of the owner, a legal description of the real property affected, a summary description of the asserted error and the relief requested of the Board. Such petition shall be considered by the Board at any regular or special meeting.

SECTION FOURTEEN. FAILURE TO INCLUDE RESIDENTIAL UNIT ON ANNUAL SPECIAL ASSESSMENT ROLL:

When it shall appear that any annual special assessment might have been imposed under this ordinance against any residential unit, but such unit was omitted from the appropriate annual special assessment roll, the Board may, by resolution, impose the applicable annual special assessment for the service year in which such error is discovered, plus the applicable special assessment for the prior two (2) service years. Such total annual special assessment shall become delinquent if not fully paid upon the expiration of sixty (60) days from the date of the adoption of said resolution, and upon becoming delinquent shall be subject to the interest rates for the delinquent annual special assessment as provided in Section 11 of this ordinance. Further, the total amount of any delinquent special assessments shall constitute, and are hereby imposed, as a lien against law, said liens shall be equal in rank and dignity to the lien of County to all other liens, encumbrances, titles and claims in and to or against the residential unit involved. The provisions contained in Section 11 of this ordinance regarding the preparation and the filing, by resolution, of a notice of delinquent lien and satisfaction

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of lien are also applicable to the delinquent special assessments described in this section.

SECTION FIFTEEN. ENFORCEMENT OF DELINQUENT ANNUAL COLLECTION

SPECIAL ASSESSMENTS:

All delinquent annual collection special assessment liens may be enforced at any time by the Board subsequent to the date the annual special assessment or service charge described in Section 11 of this ordinance becomes delinquent, for the amount due under such liens or any recorded liens, including all interest, plus costs and a reasonable attorney's fee by proceedings in a Court of equity to foreclose such liens in the manner in which a mortgage lien is foreclosed under the Laws of Florida, or, in the alternative, foreclosure proceedings may be instituted and prosecuted under the provisions of Chapter 173, Florida Statutes, or the collection and enforcement of payment thereof may be accomplished by any other method authorized by law. It shall be lawful to join in any complaint for foreclosure of any such legal proceedings, any one (1) or more lots or parcels of land that is the subject of a lien or liens.

SECTION SIXTEEN. RESPONSIBILITIES OF CONTRACTOR AND CUSTOMER
FOR GARBAGE AND WASTE COLLECTION.

The Contractor franchisee shall collect from, and customers shall provide for collection, as follows:

- A. Residential Units: Twice per week collection at the curb. (within six feet) the customer shall be allowed unlimited pickup provided all garbage and waste is

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properly containerized in containers approved by the franchisee, not to exceed thirty-five (35) gallons, or in sealed plastic bags or tied bundles, not exceeding four (4) feet in length. No aforescribed container, bag or bundle may exceed forty (40) pounds in weight. In addition, upon request by the owner of a residential unit, the Contractor franchisee shall provide for a separate, scheduled pickup of special waste or junk, as generated by said residential unit, as defined herein, and such service shall be unlimited as to quantity, size and weight, however, it shall be placed at the curb and shall not include vehicles, vehicle component parts or liquid waste. Further, the special waste or junk shall be disassembled, if possible, prior to pickup by the franchisee. The franchisee shall schedule the pickup of said unlimited junk within seventy-two (72) hours, exclusive of weekends and holidays, of being requested by the owner of a residential unit for such service. The pickup of unlimited, special waste or junk shall be included in the annual special assessment imposed herein, without any additional assessment, service charge, fee or tax to be imposed by the Board or franchisee for such service. If a normal collection day falls on a holiday, then service shall be provided for the next scheduled pickup day, in addition to normal collection. All collections under the terms of

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this ordinance shall be made in a neat and workmanlike manner and any spillage caused by the franchisee shall be removed by the franchisee.

- B. Commercial Property: A minimum of once per week service is required of all customers. Such service shall be provided by mechanical container as defined herein. However, where a customer generates one cubic yard or less per week of garbage and waste, alternate non-mechanical containers may be utilized. The size of the mechanical container and the frequency of collection shall be determined between the customer and the franchisee except as specified herein. However, size and frequency shall provide that no garbage and waste need be placed outside the mechanical container. Storage capacity shall be suitable for the amount of garbage and waste generated by the customer. Franchisee shall provide mechanical containers as necessary, however, customers may acquire their mechanical container from any source provided that the source or customer is completely responsible for its maintenance in accordance with the minimum requirements stated herein. Such mechanical containers shall be of a type that can be serviced by the franchisee's equipment. If a normal collection day falls on a holiday, then service shall be provided the next scheduled pickup day, in addition to normal collection.

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C. Level and Type of Special Services:

Where the Contractor agrees to collect hazardous waste, infectious waste, or sludge, a written agreement between the Contractor and the customer shall be entered into regarding the level and type of service to be provided at a rate to be negotiated between the parties involved. However, upon failure of the parties to reach such an agreement for commercial services only, either party may apply to the Board or its designee who shall establish the level and type of service to be provided, including the size of the container and number of pickups per week.

- D. Upon adequate notice, Contractors will at six months intervals be required to segregate and/or account for to the County, that amount of solid waste tonnage that is classified residential and that amount classified and collected herein as commercial.

SECTION SEVENTEEN. GASPARILLA ISLAND

Due to the unique circumstances of Gasparilla Island, that portion of Gasparilla Island located within Lee County is hereby exempt from Section 3(10) (definition of Garbage Receptacles), Section 3(12) (definition of Horticultural Trash or Garden Trash) and Section 16(a) and (d) (Responsibilities of Contractor and Customer for Garbage and Waste Collection) of the herein ordinance; however, said Lee County portion of Gasparilla Island is subject to the following:

- A. Garbage Receptacle or Container shall mean and include any steel, plastic or galvanized receptacle. Receptacles shall be of the design that allows for easy lifting with two (2) handles and of not more than 20 gallons in volume or fifty (50) pounds in weight. These receptacles are to have tight fitting lids, plastic lids, plastic bags of heavy mil construction are also considered garbage receptacles. Receptacles generally pertain to residential use.
- B. Horticulture Trash or Garden Trash shall mean solid waste that is an accumulation of lawn, grass, or shrubbery cuttings, work clippings and dry leaf rakings, palm fronds, small tree branches not exceeding four (4) feet in length and four (4) inches in diameter or fifty (50) pounds in weight and securely fastened together, bushes or shrubs, green leaf cuttings, fruits or other matter usually created as refuse in the care of lawns and yards except large branches, trees or bulky and non-containerized material not susceptible to normal loading and collection in packer type sanitation equipment used for regular collection from domestic households (limbs from tree trimmings not exceeding four (4) feet in length and four (4) inches in diameter, or fifty (50) pounds in weight and securely fastened together may be

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placed at the curbside for residential pick up).

C. Bundle shall mean material securely fastened together not exceeding four (4) feet in length or fifty (50) pounds in weight.

D. Responsibilities of Contractor and Customer for Garbage and Waste Collection. The Contractor franchisee shall collect from, and customers shall provide for collection, as follows:

1. Residential Units: Twice per week collection at the curb, (within six feet) the customer shall be allowed five (5) twenty (20) gallon containers or bundles of garden trash provided the garbage and waste is properly containerized in containers approved by the franchisee, not to exceed twenty (20) gallons, or in sealed plastic bags or tied bundles, not exceeding four (4) feet in length. No aforescribed container, bag or bundle may exceed fifty (50) pounds in weight. If a normal collection day falls on a holiday, then service shall be provided for the next scheduled pickup day, in addition to normal collection. All collections under the terms of this ordinance shall be made in a neat and workmanlike manner and any spillage caused by the franchisee shall be removed by the franchisee. Quantities in excess of the five (5) containers and bundles shall be treated in the same manner as special waste or junk.

0R2189 PG3314

2. Residential Units: Special waste or junk. Contractor shall collect and dispose of special waste or junk for which service it shall be entitled to receive a special fee to be collected from the user. Said special fee shall be approved by the Board of County Commissioners.

3. Commercial rates. Residential dwelling units which are defined as commercial for this ordinance shall be charged the same per unit rate as a residential unit pursuant to this ordinance.

E. Except as modified by this Section, all other terms, conditions and definitions as provided in this ordinance shall apply.

SECTION EIGHTEEN.

UNLAWFUL DISPOSAL OF SOLID WASTE.

No person shall cast, place, sweep or deposit anywhere within the County any solid waste in such a manner that same may be carried or deposited by elements upon any sidewalk, alley, street, or other public place provided however this section shall not prohibit the placement of clean fill upon private land.

No person shall throw, place, or deposit, or cause to be thrown, placed, or deposited any solid waste of any kind into or on any of the public streets, roads, highways, bridges, alleys, lanes, thoroughfares, waters, canals, or vacant lots or lands, or upon the premises of any other person within the unincorporated area of the County except as specifically authorized by the Board for the disposal of such solid waste.

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It is unlawful for any person to collect or transport solid waste for hire or remuneration or other consideration in any form without first having a County franchise agreement. All disposal required by this Ordinance shall be done only at a County designated or approved Solid Waste facility.

SECTION NINETEEN. ADVISORY COMMITTEE.

To advise in the orderly implementation and improvement of this Ordinance, there is created an Advisory Committee consisting of one representative or designee from the following groups or agencies:

- | | |
|-------------------------------------|------------------------|
| 1. Lee County Attorney | 6. County Commissioner |
| 2. Lee County Administrator | 7. Citizen |
| 3. Lee County Property
Appraiser | |
| 4. Lee County Tax Collector | |
| 5. One of the contractors. | |

This Committee shall be of continuing existence and shall be only of advisory nature to the Board.

SECTION TWENTY. PENALTIES.

Violation of any of the provisions of this ordinance shall be punishable as provided by general law for violation of County ordinance. In addition to the penalties as provided herein, the County may have recourse to such remedies as provided in law and equity to ensure compliance with the provisions of this Ordinance, to include temporary and permanent injunctive relief, recovery of damages and prosecution before the Lee County Code Enforcement Board. Each

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day a violation of this Ordinance continues unabated shall be deemed a separate violation of same for penalty purposes. Administrative fines, as provided in Section 381.112, Florida Statutes, may be imposed by the health authority should conditions necessitate.

SECTION TWENTY-ONE. SEVERABILITY.

The provisions of this ordinance are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any of the provisions of this ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions of this ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such an unconstitutional provision not been included therein.

SECTION TWENTY-TWO. ALTERNATIVE OR SUPPLEMENTAL AUTHORITY.

Lee County Ordinance 75.17 is hereby replaced. Except as expressly provided in this ordinance, this ordinance shall not be construed as repealing or superseding any other ordinance or law, and it is to be construed as alternative or supplemental authority for the exercise of the powers provided for herein.

SECTION TWENTY-THREE. EFFECTIVE DATE.

A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners, and shall take effect 30 June, 1986.

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DONE AND ADOPTED this 11th day of June, 1986.ATTEST:
CHARLIE GREEN, CLERKBY: Chris Thomas
Deputy ClerkBOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDABY: [Signature]
Chairman

DR2189 PG3318

(0755L)

Approved As

To Form

By: James Gager
County Attorney

Gulf Disposal
Franchise Land Description
Schedule "A"

PART I

The south half (S 1/2) of section 34, Township 44 South, Range 24 East and the south half S 1/2 of Section 35 of said Township and Range lying west of the west right-of-way of DeLeon Street. Also the northwest quarter (NW 1/4) of the northwest quarter (NW 1/4) of the northwest quarter (NW 1/4) and the south (S 1/2) of the north half (N 1/2) of the northwest quarter (NW 1/4) of Section 1, Township 45 South, Range 24 East. Also the south three quarters (S 3/4) of said Section 1 and that part of Section 2, Township 45 South, Range 24 East lying outside the city limits of Fort Myers and all of Section 3 of said Township and Range.

Also, beginning at the northeast corner of Section 8, Township 45 South, Range 26 East, run west along the north line of said Section and along the north line of Section 7 of said Township and Range and along the north line of Sections 12, 11, 10, 9, 8 and 7, Township 45 South, Range 25 East and along the north line of Sections 12, 11 and 10 and a westerly prolongation thereof to the channel of the Caloosahatchee River; thence southwesterly along said channel to an intersection with a westerly prolongation of the south line of Section 25, Township 45 South, Range 23 East; thence run east along said prolongation and said south line and east along the south line of Section 10, Township 45 South, Range 24 East to the northwest corner of Section 32 of said Township and Range; thence run south along the west line of said Section to the center line of S. R. 5-865 (Gladiolus Drive); thence run easterly along said center line to an intersection with the

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Page Two Cont'd.

Gulf Disposal/Part I

Schedule "A"

center line of State Road 45 and southwest corner of Section 25, Township 25, Township 45 South, Range 24 East (Tamiami Trail); thence run east along said south line and along the south line of Sections 30, 29, 28, 27, 26 and 25, Township 45 South, Range 25 East and along the south line of Sections 30, 29, 28, 27, 26 and 25, Township 45 South, Range 26 East and along south line of Sections 30, 29, 28, and 27, Township 45 South, Range 27 East to intersection with center line of S.R. 82 (Immokalee Road); thence run northwest along said centerline to an intersection with the south line of Section 20, Township 45 South, Range 27 East; thence run west along said south line and along south line of Section 19, Township 45 South, Range 27 East to the southwest corner of said Section 19; thence run north along west line of Section 19, Township 45 South, Range 27 East and along west line of Section 18, Township 45 South, Range 27 East to intersection with center line of S.R. 82 (Immokalee Road); thence run northwest along said centerline to an intersection with the north line of Section 9, Township 45 South, Range 26 East; thence west along said north line to northeast corner of Section 8, Township 45 South, Range 26 East and the point of beginning.

OR2189 PG3320

Gulf Disposal
Franchise Land Description
Schedule "A"

PART II

Beginning at the center line intersection of S.R. No. 82 (Immokalee Rd.) with the east line of Lee County run northwesterly along said center line to the north line of Section 34, Township 45 South, Range 27 East; thence run west along said north line and along the north line of Sections 33, 32 and 31 of said Township and Range and along the north line of Sections 36, 35, 34, 33, 32 and 31 of Township 45 South, Range 26 East and along the north line of Sections 36, 35, 34, 33, 32, 31, Township 45 South, Range 25 East and along the north line of Section 36, Township 45 South, Range 24 East to the intersection with S.R. 45 (Tamiami Trail) and Gladiolus Drive; thence run westerly along the center line of Gladiolus Drive and State Road No. S-865 to the east line of Section 31, Township 45 South, Range 24 East; thence run north to the northeast corner of said Section; thence run west along the north line of said Section and the north line of Section 36, Township 45 South, Range 23 East to the Caloosahatchee River; thence run northwesterly to the Channel of said River; thence run westerly, southwesterly and southerly along said channel to the northerly right-of-way of the Sanibel Causeway; thence run easterly along said right-of-way to the center line of S.R. No. 867 (McGregor Boulevard); thence run easterly and northeasterly along said center line to the north line of Township 46 South; thence run east along said north line to the northwest corner of Section 1.

Page Two Cont'd.

Gulf Disposal/Part II

Schedule "A"

Township 46 South, Range 24 East; thence run south along the west line of said Section 1 and along the west line of Sections 12, 13, and 24 of said Township and Range to the waters of Hendry Creek; thence run southerly in said waters and in the waters of Estero Bay (keeping west of Mound Key) intersecting the westerly prolongation of the south line of Section 36, Township 46 South, Range 24 East; thence run East along said South Section line and the south line of Sections 31, 32, 33, 34, 35 and 36 of Township 46 South, Range 25 East and along the South line of Sections 31, 32, 33, 34, 35 and 36 of Township 46 South, Range 26 East and along the South line of Sections 31, 32, 33, 34, 35 and 36 Township 46 South, Range 27 East to the east line of Range 27 East; thence run north along said east line to the center line of S.R. No. 82 (Immokalee Road) and the point of beginning. Less that portion of Section 36, Township 45 South, Range 27 East lying within the above described lands.

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Gulf Disposal
Franchise Land Description
Schedule "A"

PART III

All of the following described lands not included in the Corporate Boundary limits of the City of Fort Myers prior to August 21, 1961, but including any City annexation subsequent to August 21, 1961:

Section 25, Township 44 South, Range 24 East;

Section 4, 8, 9, 16, 17, 19, 20, 21, 28, 29, 30, 31, 32 and 33, Township 44 South, Range 25 East;

Also, Sections 4, 5, and 6, Township 45 South, Range East. Also, beginning at the northwest corner of Section 3, Township 44 South, Range 25 East run South along the west line of said Section 3 and along the west line of Sections 10, 15, 22, 27 and 34 of said Township and Range and south along the west line of Section 3, Township 45 South, Range 25 East to the southwest corner of said Section 3; thence run east along the south line of Sections 2 and 1 of said Township and Range and east along the south line of Sections 6 and 5 of Township 45 South, Range 26 East to the center line of State Road No. 82 (Immokalee Rd.); thence run northwesterly along said center line to the north line of Section 26, Township 44 South, Range 25 East; thence run east along said north line and along the north line of Section 25 of said Township and Range to the northeast corner of said Section; thence run north along the west line of Section 19, Township 44 South, Range 26 East to the northwest corner of said Section; thence run east along the north line of said Section and along the north line of Section 20 of said Township and Range to the northeast corner of said Section;

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Page Two Cont'd.

Gulf Disposal/Part III

Schedule "A"

thence run north along the west line of Section 16, Township 44 South, Range 26 East to the northwest corner of said Section 16; thence run east along the north line of said Section to the southwest corner of Section 10 of said Township and Range; thence Run north along the west line of Sections 10 and 3 to the north line of Township 44 South; thence run east along said north line to the east line of Lee County; thence run north along said east line to the northeast corner of Lee County; thence run west along the north line of said County to the east line of Range 25 East; thence run south along said east line to the channel of the Caloosahatchee River; thence run westerly and southwesterly along said channel to an intersection with a westerly prolongation of the north line of Section 4, Township 44 South, Range 25 East; thence run east along said prolongation and along said north line to the northwest corner of Section 3 of said Township and Range and the point of beginning. Less Southeast 1/4 of Section 36, Township 43 South, Range 27 East.

OR2189 PG3324

(0094S)

EXHIBIT A

BEACH DISPOSAL

SCHEDULE "A"

PART I

FRANCHISE AREA

Beginning at the northeast corner of Section 2, Township 46 South, Range 24 East run west along the north line of said Township 46 south to the center line of S.R. No. 867 (McGregor Boulevard); thence run southwesterly along said center line to an intersection with a northerly prolongation of the easterly right-of-way line of the Sanibel Causeway; thence run southerly along said prolongation and said right-of-way line to the waters of San Carlos Bay; thence run southeasterly along said waters and into the waters of the Gulf of Mexico on the southwesterly side of Estero Island to the center of Big Carlos Pass; thence run northeasterly in said Pass and northerly in the waters of Estero Bay (keeping west of Mound Key) and Hendry Creek to the east line of Section 23, Township 46 South, Range 24 East; thence north along said east line and along the east line of Sections 14, 11, and 2 of said Township and Range to the north line of said Township 46 South and the point of beginning.

(01165)

BEACH DISPOSAL

SCHEDULE "A"

PART II

FRANCHISE AREA

Beginning at the N.E. corner of Section 1, Township 47 South, Range 26 East, going westerly along the Township 46 South line to a point in Estero Bay West of Mound Key and North of Big Carlos Pass, thence South to the Gulf of Mexico, thence run Southeasterly along said waters of the Gulf to the South line of Township 47 South, thence run East along said South line to the Northwest corner of Section 4, Township 48 South, Range 25 East, thence run South along the West line of said Section 4 to the Southwest corner; thence run East along the South line of said Section 4, and the South line of Section 3, 2 and 1 of said township and range, then along the South line of Sections 6, 5, 4, 3, 2, and 1 of Township 48 South, Range 26, East, to the East line of said Range 26 East, thence run North along said East line to the N.E. corner of Section 1, Township Township 47 South, Range 26 East, which is the point of beginning.

(0117S)

EXHIBIT A

OR2189 PG3326

LEHIGH UTILITIES LAND DESCRIPTION

SCHEDULE "A"

FRANCHISE AREA

TOWNSHIP 43 SOUTH, RANGE 27 EASTSoutheast 1/4 of Section 36

Also beginning at the northeast corner of Section 1, Township 44 South, Range 27 East, thence run west along north line of Township 44 south to the northwest corner of Section 3, Township 44 S. Range 26 E; thence run South along west line of Section 3 and 10 to the southwest corner of Section 10; thence run west along the north line of Section 16, Township 44 S. Range 26 E to the northwest corner of said Section; Thence run south along the west line of Section 16 to the Southwest corner of said Section; thence west along the south lines of Sections 17 and 18, Township 44 South, Range 26 East to the southwest corner of Section 18; thence south along the west line of Section 19, Township 44 South, Range 26 E to the southwest corner of said Section; thence west along the south section line of Sections 24 and 23, Township 44 S, Range 25 East to the intersection of centerline of S.R. 82 (Immokalee Road); thence run southeasterly along said centerline of Immokalee Road to intersection of west line of Section 18, Township 45 South, Range 27 East; thence south along said west line of Sections 18 and 19 to the southwest corner of Section 19, Township 45 South, Range 27 East; thence run east along south line of Sections 19 and 20 to the intersection of centerline of S.R. 82 (Immokalee Road); thence run southeasterly along said centerline of Immokalee Road to intersection of west line of Section 36, Township 45 South, Range 27 East; thence south along said west line of Section 36 to the southwest corner of said section; thence East along south line of Township 45 south to east line of Lee County; thence north along the east line of Lee County to the northeast corner of Section 1, Township 44 South, Range 27 East said corner being the point of beginning.

OR2189 PG3327

TURNER DISPOSAL LAND DESCRIPTION

SCHEDULE "A"

FRANCHISE AREA

Beginning at the northeast corner of Township 43 South, Range 25 East, run west along the north line of said Township to the northwest corner of Section 4, Township 43 South, Range 24 East; thence run south along the west line of said Section 4 and along the west line of Sections 9, 16, 21, 18, and 33 of said Township and Range and along the west line of Sections 4, 9, 16 and 21 Township 44 South, Range 24 East to the southwest corner of said Section 21; thence run east along the south line of said Section 21 and an easterly prolongation of said line to the channel of the Caloosahatchee River; thence run northeasterly and easterly along said channel to the east line of Range 25 East; thence run north along said east line to the northeast corner of Township 43 South, Range 25 East and the point of beginning. Less Section 21, Township 43 South, Range 24 East.

OR2189 PG3328

(0115S)

OR2189 Pg3329

CAPTIVA LAND DESCRIPTION

SCHEDULE "A"

FRANCHISE AREA

Beginning in the waters of Redfish Pass, near the Gulf of Mexico run easterly to the channel of the Intra-Coastal Waterway in Pine Island Sound, thence southeasterly along said channel to a point intersecting the centerline of Blind Pass 300 feet off shore from mean high tide at Wulfert Point in Section 2, Township 46 South, Range 21 East. Thence run southwesterly along centerline of Blind Pass 300 feet offshore in the Gulf of Mexico from the mean high tide line of Sanibel Island; Thence run northwesterly along said waters to said waters of Redfish Pass to the Point of Beginning.

(01005)

ENGLEWOOD LAND DESCRIPTION
SCHEDULE "A"
FRANCHISE AREAS IN LEE COUNTY

All that part of Gasparilla Island and inner islands in ..
Gasparilla Sound lying South of the north Lee County line.

OR2189 PG3330

(0097S)

SANIBEL LAND DESCRIPTION

SCHEDULE "A"

FRANCHISE AREA

From the corner common to Sections 17, 18, 19 and 20, Township 46 South, Range 23 East, run easterly along the line common to said Sections 17 and 20 to a point 300 feet offshore in San Carlos Bay from the mean high tide line to Section 20 and the point of beginning. From said point of beginning, run easterly 300 feet offshore from the mean high tide line of Sanibel Island, to the easterly point of said island and the mouth of said San Carlos Bay; thence run southwesterly, westerly and northwesterly, 300 feet offshore in the Gulf of Mexico from the mean high tide line of Sanibel Island, to an intersection with the Centerline of Blind Pass; thence run northeasterly along said centerline to the waters of Pine Island Sound at a point 300 feet offshore from the mean high tide line at Wulfert Point in Section 2, Township 46 South, Range 21 East; thence run southeasterly in Pine Island Sound and San Carlos Bay, 300 feet offshore from the mean high tide line of said Sanibel Island, to the point of beginning, crossing the entrance to Tarpon Bay in Sections 13 and 14, Township 46 South, Range 22, East.

OR2189 PG3331

(01015)

CAPE CORAL - PINE ISLAND LAND DESCRIPTION

SCHEDULE "A"

FRANCHISE AREA

Beginning at the northeast corner of Section 2, Township 43 South, Range 23 East, thence run west along the north line of said Township to the waters of Charlotte Harbor; thence Southwesterly to a boat channel in Charlotte Harbor near and northwest of Burgess Island; thence run southerly along said channel into the waters of Pine Island Sound to the channel of the Intra-Coastal Waterway; thence southerly, southeasterly and easterly along said channel to a point north of Woodring Point; thence easterly to the channel of the Caloosahatchee River; thence run northerly and northeasterly along said channel to an easterly prolongation of the South line of Section 21, Township 44 South, Range 24 East; thence run west along said prolongation and along said south line to the southwest corner of said Section 21; thence run north along the west line of Sections 21, 16, 9, and 4 of said Township and Range to the northwest corner of said Section 4; thence continue north along the west line of Sections 33, 28, 21, 16, 9 and 4 along the north Township 43 South, Range 24, to the northwest corner of said Section 4; thence run west along the north line of Township 43 South, to the point of beginning. Also including Section 21, Township 43 South, Range 24 East.

(0114S)

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STATE OF FLORIDA

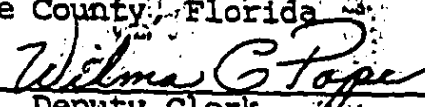
COUNTY OF LEE

I, Charlie Green, Clerk of Circuit Court, Lee County, Florida, and ex-Officio Clerk of the Board of County Commissioners, Lee County, Florida, do hereby Certify that the above and foregoing, is a true and correct copy of Ordinance No. 86-14, adopted by the Board of Lee County Commissioners, at their meeting held on the June 11, 1986, and filed in the Ordinance Book.

Given under my hand and seal, at Fort Myers, Florida, this 14th day of November, 1990.

CHARLIE GREEN
Clerk of Circuit Court
Lee County, Florida

By


Deputy ClerkCHARLIE GREEN LEE CTY FL
90 NOV 30 PM 4:38

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LEE COUNTY ORDINANCE NO. 86-38

AN ORDINANCE AMENDING LEE COUNTY ORDINANCE NO. 86-14; RELATING TO MANDATORY GARBAGE AND SOLID WASTE COLLECTION IN LEE COUNTY; AMENDING SECTION ONE, RELATING TO CREATION, PURPOSE AND DECLARATION OF BENEFIT; AMENDING SECTION THREE, PARAGRAPH 11, RELATING TO THE DEFINITION OF HAZARDOUS WASTE, AND PARAGRAPH 14, RELATING TO THE DEFINITION OF RESIDENTIAL COLLECTION SERVICE; AMENDING SECTION SIX, RELATING TO VARIANCES OR EXEMPTIONS FROM THE PROVISIONS OF LEE COUNTY ORDINANCE NO. 86-14, PROVIDING FOR A FINANCIAL HARDSHIP COMMITTEE, PROVIDING FOR PROCEDURES FOR APPLICATION FOR FINANCIAL HARDSHIP, PROVIDING FOR REVIEW PROCEDURES, PROVIDING FOR FLORIDA ADMINISTRATIVE CODE RECOMMENDATIONS FOR COMPACTION-TYPE TRUCK SPECIFICATIONS; AMENDING SECTION EIGHT, PARAGRAPH A, PROVIDING FOR PAYMENTS TO CONTRACTOR/FRANCHISEE BY DESIGNEE OF THE COUNTY; AMENDING SECTION NINE, PARAGRAPH B, PROVIDING FOR A FISCAL YEAR FROM APRIL 1 TO MARCH 31, AMENDING PARAGRAPH'S C, D AND E, PROVIDING FOR CORRESPONDING DATES FOR THE AMENDED FISCAL YEAR; AMENDING SECTION TEN RELATING TO CERTIFICATION OF THE RATE RESOLUTION, PROVIDING FOR CORRESPONDING DATES FOR THE AMENDED FISCAL YEAR; AMENDING SECTION TWELVE RELATING TO SCOPE OF SPECIAL ASSESSMENT, PROVIDING FOR PAYMENT OF THE SPECIAL ASSESSMENT IN QUARTERLY INSTALLMENTS AS WELL AS IN AN ANNUAL PAYMENT, PROVIDING FOR A DISCOUNT FOR ANNUAL PAYMENT, PROVIDING FOR PENALTIES FOR LATE QUARTERLY PAYMENTS, PROVIDING FOR AN INTERLOCAL AGREEMENT BETWEEN LEE COUNTY AND THE LEE COUNTY TAX COLLECTOR AS THE BOARD DESIGNATED AGENT FOR COLLECTION AND DISBURSEMENT OF SPECIAL ASSESSMENT FUNDS; AMENDING SECTION THIRTEEN, RELATING TO CORRECTIONS OF ERRORS AND OMISSIONS, PROVIDING FOR PETITION TO THE COURTS; AMENDING EXHIBIT A, RELATING TO LEGAL DESCRIPTIONS OF THE FRANCHISE AREAS FOR AREAS NO. 3 and NO. 4, DELETING AREA NO. 7; PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida, and;

WHEREAS, the Board of County Commissioners, by Ordinance No. 86-14, created the Mandatory Garbage and Solid Waste Collection Program in Lee County, and;

WHEREAS, in the course of the implementation of Lee County Ordinance 86-14 since its adoption, there have developed numerous administrative matters that require amendments to Ordinance 86-14, and;

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: G. SHERWOOD, D.C.

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WHEREAS, amending Ordinance 86-14 will provide a more accurate and appropriate document for the implementation of the Mandatory Garbage and Solid Waste Collection Program in Lee County, and;

WHEREAS, on November 19, 1986, the Board of County Commissioners authorized the amending of Lee County Ordinance 86-14 for the purposes of correcting and adding to the provisions contained in Ordinance 86-14,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

- I. The amendments, corrections, revisions and additions as set forth in the following sections of this Ordinance are hereby adopted and incorporated into the provisions of Lee County Ordinance 86-14. Additions are illustrated by underlined words; deletions are illustrated by struck-through type.
- II. AMENDMENTS TO THE PROVISIONS OF ORDINANCE 86-14 ARE AS FOLLOWS:

SECTION 1. CREATION, PURPOSE, DECLARATION OF BENEFIT

Section 1 as amended reads as follows:

There is to be established hereby municipal service benefit units pursuant to the authority granted in Section 125.01(1)(q)(r) Florida Statutes. There is further hereby established a Special District to provide garbage and waste collection within portions of the incorporated area of the County. Said municipal service benefit units and Special District Benefit Unit shall be known as Lee County Solid Waste and Mandatory Collection Unit Service Areas No. 1 to No. 6.

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respectively. Benefit Unit Service Areas No. 1 to 6 shall consist of a specific portion of all of the unincorporated area of Lee County, Florida, as described in the description for each of said (6) Benefit units, as set forth in Exhibit "A" attached hereto and incorporated herein. Each of said municipal service benefit units shall consist of the specifically described portion of all unincorporated area of Lee County. Benefit Unit Service Areas ~~No. 7~~ / ~~No. 7~~ / And No. 8, ~~and~~ is created as a Special District pursuant to F.S. 125.01(5)(a)(b) and includes both incorporated and unincorporated areas in order to provide for the levy of special assessments within such District to finance the service of garbage and solid waste collection therein. It is the intent of this Ordinance that the legal descriptions of the service areas included within the Benefit Units correspond to the areas covered by the Solid Waste Collection Service Franchises granted Contractors pursuant to 61-2397, Laws of Florida.

As of October 1, 1988, all areas as described in this Ordinance that are within the incorporated limits of any municipality can be excluded at the option of the municipality.

And further, it is the purpose of these units to promote the common interest of the people of the County, to provide for the effectuation of garbage and waste collection and disposal through the levy of a special assessment against residential units, and which, because of varying needs and benefits of commercial operators, commercial operators cannot be made

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subject to a special assessment; and to promote the health and welfare and safety of the citizens and residents of the collection service units by providing adequate garbage and waste collection and disposal through the regulated services of a franchisee contractor.

SECTION 3. DEFINITIONS:

Section 3 as amended reads as follows:

For the purpose of this Ordinance, the definitions contained in this section shall apply unless otherwise specifically stated. When not inconsistent to the context, words used in the present tense, include the future, words in the plural include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely discretionary.

1. Board shall mean the Board of County Commissioners of Lee County, Florida.
2. Benefit Unit refers to each of the ~~eight~~ seven (7) Municipal Service Benefit Units and Special District Units existing under Section 1 hereof, unless specifically indicated to the contrary.
3. Commercial Collection Service means service to include but not limited to Commercial Property which properties are all hotels, motels, parks containing mobile homes, trailers, manufactured housing and recreational vehicles, commercial (wholesale/retail), manufacturing, industrial and institutional

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enterprises of all types licensed to do business in Lee County. Commercial properties shall be all properties other than those listed in paragraph 14 below, including condominiums consisting of more than 4 units.

4. Container shall mean and include any detachable container designed or intended to be mechanically dumped into a packer type garbage truck used by contractors and varying in size. Such container is to be maintained so as to be leak proof and rodent resistant.
5. Contractor means those firms authorized by Franchise Contract with the County to provide solid waste collection services.
6. County shall mean Lee County, Florida.
7. Customer shall mean all persons, corporations, partnerships, or other entities owning residential units or commercial property within a benefit unit that is within a contractor's service area and all other persons subscribing to the garbage and waste service as provided by the contractor and terms of this ordinance.
8. Extraordinary Waste shall include items of such bulk or weight so as to prevent two (2) persons from lifting it or require extraordinary management that include, but are not limited to, abandoned automobiles and boats, waste oil, sludges, septic tank pumpage,

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tree trunks greater than 4 inches in diameter.

9. Garbage shall mean animal, fruit and vegetable waste, either alone or in combination with other putrescible matter resulting from the handling, storage, sale, preparation, cooking, serving or consumption of foods; which are subject to decomposition or decay. These wastes and the containers in which such items are packaged shall be contained to prevent the generation of noxious gases and odors, the breeding of flies and other insects and the feeding of rodents.
10. Garbage Receptacle shall mean and include any steel, plastic, or galvanized receptacle. Receptacles shall be of the design that allows for easy lifting with two (2) handles and of not more than 35 gallons capacity. These receptacles are to have tight fitting lids, or plastic lids. Plastic bags of heavy mil construction are also considered garbage receptacles. "Receptacles" generally pertains to residential use.
11. Hazardous Waste shall mean wastes that are inherently dangerous to handle or dispose of. These wastes include radioactive substances, toxic chemicals, biological wastes, flammable wastes, explosives and certain items found in the home to include, but not limited to pool chlorine and paint thinner. Hazardous waste shall also mean waste materials as defined in 40 C.F.R., Part 261 (1986), and section 17-30, Fl. Admin.

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C., which definitions are hereby adopted and incorporated by reference and made a part of this section of the Ordinance.

12. Horticultural Trash or Garden Trash shall mean solid waste that is an accumulation of lawn, grass, or shrubbery cuttings, work clippings and dry leaf rakings, palm fronds, small tree branches not exceeding four (4) feet in length and four (4) inches in diameter, bushes or shrubs, green leaf cuttings, fruits or other matter usually created as refuse in the care of lawns and yards except large branches, trees, or bulky and non-containerized material not susceptible to normal loading and collection in packer type sanitation equipment used for regular collection from domestic households (limbs from tree trimmings not exceeding four (4) feet in length and four (4) inches in diameter may be placed at the curbside for residential pick up).

13. Industrial Waste shall mean any solid waste accumulations of metal, metal products, minerals, chemicals, rocks, building rubble, cement, asphalt, tar, oil, grease, glass, crockery, rubber, rubber tires, bottles, cans, lumber, sawdust, waste from animal packing or slaughter houses and other materials which may be created by an industrial, construction, or manufacturing operation.

14. Residential Collection Service shall mean service to residential dwelling units which shall include the following property types, together with the use codes employed by the office of the Lee County Property Appraiser.

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<u>Property Type</u>	<u>User Code</u>
Single Family	01
Mobile Home	02
Miscellaneous Residential (migrant camps, boarding homes, etc.)	07
Multi-family -- <u>less than 4 units or less</u>	08
Condominia -- <u>less than 4 units or less</u>	04
15. <u>Refuse</u> shall be interchangeable with the term "solid waste". To avoid confusion, refuse will not be used in this text.	
16. <u>Rubbish</u> is a general term for solid waste excluding food waste and ashes taken from residences, commercial establishments, and institutions.	
17. <u>Service Area</u> refers to the territorial boundaries of the unincorporated and incorporated area of Lee County as covered by a garbage and solid waste franchise contract granted by the Board of County Commissioners pursuant to 61-2397, Laws of Florida.	
18. <u>Assessment Fee</u> may include: collection of garbage fee, disposal and/or landfill fee and the cost of administration.	
19. <u>Sludge</u> means any solid or semi-solid or liquid generated from any water or wastewater treatment plant, air pollution control facility, septic tank, grease trap, portable toilet and related operations, or any such waste having similar characteristics or effect.	

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20. Solid Waste means any garbage, rubbish, industrial waste, horticultural trash extraordinary waste or other semi-solid material resulting from domestic, commercial, industrial, agricultural, or governmental operations including refuse and special waste, excluding hazardous waste, sludge, septic tank pumpage, asphalt, tar, oil and grease.
21. Special Waste or Junk means any solid waste that requires additional management but which may be lifted by two persons and includes, but is not limited to, tires, white goods such as refrigerators or stoves, furniture such as sofas and mattresses, television sets, lawn mowers, shopping carts and bicycles.
22. Unsanitary nuisance is the commission of any act or the keeping, maintaining, propagation, existence or the permission of anything by an individual, municipality, organization, corporation, or other legal entity by which health or life may be threatened or impaired or by which directly or indirectly disease may be caused. The following conditions defined as nuisances injurious to health include: untreated and improperly treated human waste, garbage, offal, dead animals or dangerous waste materials from manufacturing processes harmful to human or animal life and are pollutant gases and noisome odors which are harmful to health, or to human and animal life; also the creation, maintenance or causing of any

OR2189 PG3342

condition capable of breeding flies, mosquitos, or other arthropods, and rodents capable of physical harm and transmitting diseases directly or indirectly to humans.

SECTION SIX. GENERAL POWERS

Section six as amended reads as follows:

The governing body shall have all the powers necessary or convenient to carry out the purposes of this Ordinance and such additional rights and powers as are provided by the Constitution of the State of Florida and the Laws of the State of Florida as granted to the counties. The governing body shall also have all powers not otherwise prohibited by law and these powers shall include, but are not limited to:

1. Sue or be sued, complain or defend in the name of the County in any and all courts or administrative agencies;
2. Acquire by grant, purchase, gift, device, exchange, or in any other lawful manner any property, real or personal, or any estate or interest therein upon such terms and conditions as the governing body shall determine;
3. Enter into contracts with any qualified private, public, or municipal firm, person, or corporation for the furnishing of solid waste services within the boundaries of the unit;

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4. Levy and collect without referendum, special assessments, or service charges as required for the collection of solid waste within the unit;
5. Adopt rules and regulations governing the Units through appropriate resolutions. The Board may provide by appropriate Resolution the procedure to establish, adjust and approve any Special Assessment or Service Charge.
6. Upon written request, grant variances or ~~exemptions~~ deferments from this Ordinance for the following reasons:

(a) Deferment for financial hardship may be granted using as a standard the H.U.D. Section 8 Rental Assistance Program as to annual income, providing further that home ownership is not in and of itself an eliminating factor. The deferment will consist of a lien placed against the residential property to run with the land in an amount equal to the cumulative unpaid special assessments. The Lien will be satisfied upon the sale, transfer or any other disposition of the residential property subject to the special assessment.

Application for a financial hardship deferment is to be made through the Lee County Department of Utilities.

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A financial hardship review committee is hereby created. The number of members of this committee and the persons to be selected for this committee shall be determined by the governing body. The Financial Hardship Review Committee will meet and review financial hardship review petitions at the direction of the governing body.

A person who has applied for a financial hardship deferment, and has been denied a deferment by the Lee County Department of Utilities may petition the Financial Hardship Review Committee for a review of the facts surrounding the denial. Such application shall be made within thirty (30) days of the denial. After the expiration of this period of limitation, no petition or right of action shall be asserted by the complaining party. A review of the decisions of the Financial Hardship Review Committee may be heard by the governing body upon application by any person seeking such a review. Such application shall be made within thirty (30) days of the decision of the Financial Hardship Review Board. After the expiration of this period of limitation, no petition or right of action shall be asserted by the complaining party.

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All financial hardship deferments shall be subject to periodic re-evaluation by the Lee County Department of Utilities.

- (b) A variance may be granted if the governing board finds that a residential unit is far distant or removed from the majority of the units in a service area so as to render collection impractical or economically inefficient. In this event, the governing board must find that solid waste generated by such a far distant or removed dwelling can be disposed of in a safe and sanitary manner. Either customer or contractor may request this ~~finding~~ variance from the governing board.

Application for this variance is to be made through the Lee County Department of Utilities.

All review of the granting or denial of the "distance" variances will be made by the governing body upon application by a party desiring review. Application for review shall be made within thirty (30) days of any decision made in reference to a "distance" variance by the governing body. After the expiration of this period of limitation, no petition or right of action shall be asserted by the complaining party. All "distance" variances shall be subject to periodic re-evaluation by the governing body.

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(c) The governing board finds that a commercial property as defined herein or an association of residential dwelling units, owned and was using as of March 19, 1986 a compaction-packer type garbage truck for solid waste collection. In this event, such use may continue until January 1, 1990, if the following, in a form acceptable to the County, is submitted:

- (1) Proof that the compaction-type garbage truck is enclosed and was obtained from nationally known and recognized manufacturers of garbage collection and disposal equipment. The truck must at all times be kept in good repair, appearance, and in a sanitary clean condition. The compaction-type garbage truck specifications as recommended in Fla. Admin. Code, section 17-7.251 and established by the American National Standards Institute, section 245.1 (Safety Standards for Refuse Collection Equipment) are hereby adopted by the governing body, incorporated by reference and made a part of this section of the Ordinance.
- (2) Proof of public liability and property damage insurance with liability limits not

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less than One Hundred Thousand Dollars (\$100,000.00) with respect to injuries to any one person, and not less than Three Hundred Thousand Dollars (\$300,000.00) with respect to injuries suffered in any one accident and aggregate, and not less than Fifty Thousand Dollars (\$50,000.00) with respect to property.

- (3) Monthly payment to County of an amount equal to the amount which would be paid as franchise fee if franchisee contractor for that service unit had collected the solid waste.
- (4) Receipts from County designated solid waste disposal facility proving that all solid waste was disposed of at County designated facility and that full payment was made for such disposal.
- (5) Application for the "association" deferment under the above conditions is to be made with the Lee County Department of Utilities. Any review of a denial for such a deferment shall heard by the governing body upon timely application for a review by the complaining party. Application for review shall be made within thirty (30) days of a denial by the Lee County Department of Utilities.

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7. to adopt by resolution, standards and procedures wherein residential collection units may be reclassified for collection purposes as commercial collection units due to a substantial number of mixed collection units being located within a defined property area and it being further impractical or administratively inefficient to collect only a portion thereof as residential collection units. Such procedure may be used if the intent of this ordinance is not negated and further that the mandatory collection provisions hereof are best served by having the entire specific property area serviced as a commercial collection unit.

SECTION EIGHT. SERVICE PAYMENT/PROPERTY OWNERS
RESPONSIBILITY

Section eight as amended reads as follows:

All property owners of improved property are mandated to subscribe to solid waste collection and service, and shall be subject to a fee in the amount set pursuant to this ordinance.

- A. Residential Collection Service. It shall be the responsibility of the property owners of a residential dwelling unit as defined in Section 3(14) to pay or cause to be paid to the County through its designated agent, the Lee County Tax Collector, a Special Assessment incurred by the dwelling unit(s) for the

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benefits received by such dwelling. Failure to pay this charge shall be considered a violation of this ordinance and may be collected as provided herein or as otherwise provided by this Ordinance and the laws of the State of Florida.

It shall be the responsibility of the owner to provide approved receptacles adequate to contain all solid waste generated from residence(s) in accordance with the provisions herein. The owner shall not maintain or permit on the property an unsanitary nuisance injurious to the health as defined herein.

The County ~~or~~ through its designated agent, the Lee County Tax Collector, will be responsible for the billing and collection of payments in the residential collection service area through the levy of Special Assessments, as set forth in Sections 1, 4 and 9 hereof. The County's designated agent, the Lee County Tax Collector, will retain all customer payments collected under this Ordinance, and from those proceeds will pay the Contractor/Franchisee in accordance with the separate corresponding franchise contracts.

B. Commercial Collection Service.

It shall be the responsibility of all other property owners not within the residential collection service category and property owners of commercial property to dispose of their solid waste in a manner which would

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not be detrimental to the public health, safety, and welfare of the County. In this regard, it is required that the property owner(s) enter into an agreement with a franchisee or Contractor of the governing body of the unit to dispose of all solid waste. The Contractor shall be responsible for the billing and collection of commercial customer payments. If the owner of commercial properties defaults in payment to the Contractor, the Contractor may notify the County and the County and/or Contractor may proceed to collect such delinquent payment by legal process, to include such process as set forth herein for residential payments, to include the levy of a lien. It shall be the responsibility of the owners and/or occupants of commercial establishments to provide approved container(s) adequate to contain all solid waste generated from commercial establishments in accordance with the provisions of Section 11(B). The owner shall not maintain or permit on the property an unsanitary nuisance injurious to the health as defined herein. The failure of a property owner not within the residential collection service category, or the failure of a property owner of commercial property to abide by the mandatory subscription provisions hereof, shall subject said property owner to a fine not to exceed \$250 for each day the violation continues.

OR2189 PG3351

SECTION NINE: ANNUAL GARBAGE AND WASTE COLLECTION;SPECIAL ASSESSMENT:

Section nine as amended reads as follows:

There is hereby imposed an Annual Special Assessment for the collection and disposal of garbage and waste on all residential units within the benefit unit.

- A. In order to provide for the residential collection service and disposal of solid waste within the mandatory solid waste collection unit area described in Sections 1 and 4 above, there shall be a special assessment annually imposed by resolution for Residential Collection Service on each residential dwelling, as defined in Section 3(14) hereof, within the afore-described area.
- B. The fiscal year of the benefit unit shall commence on 1 October of each year and end on September 30 or on other dates the Board may designate. The Board annually shall consider, amend and adopt a budget for each benefit unit in a manner similar to that in which County budgets are considered and adopted.
- C. On or before ~~April 1~~ September 1 of each year, each Contractor shall petition the Board for a rate review and adjustment in order that the Board may comply with the assessment procedures set forth herein. The

082189 PG3352

Contractor's authority to exercise its franchise function pursuant to the provisions of this Ordinance and the franchise contract, as to be amended hereby, is subject to full compliance with the rate review procedure.

- D. On or before ~~JUNE~~/A September 1 of each year, the Board shall deliver to the Lee County Property Appraiser the proper legal description of each municipal service benefit unit and special district unit, and on or before ~~JULY~~/A October 1 of each year, the Lee County Property Appraiser shall furnish the Board or its designee a copy of the Assessment Roll which shall include all properties subject to the Special Assessments described in this Ordinance. The Lee County Property Appraiser shall receive a fee for this service to be agreed upon between the Property Appraiser and the governing body of the units that being the Board as defined in this Ordinance.
- E. On or before ~~JUNE~~/A ~~LAST~~/A ~~DAY~~/OF/A ~~LAST~~ November 1 of each year, the Board shall hold a public hearing to adopt a Special Assessment Rate resolution incorporating a schedule of annual collection special assessment to be imposed upon the owners of all residential units in the benefit units. Such schedule shall provide sufficient revenues to fund the collection of garbage and waste within the benefit

OR2189 PG3353

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units, and such rates shall be computed as provided in the separate corresponding franchise contracts entered into pursuant to Ch. 61-2397, Laws of Florida, as authorized in Section 7 herein and as defined as an assessment fee herein..

- F. Notice of the public hearing on the rate resolution shall be published by the Board in a newspaper of general circulation at least twice with the first publication being at least fifteen (15) days prior to the public hearing. Said public hearing may be continued to a date certain without the necessity of further newspaper advertisement or public notice.

SECTION TEN. CERTIFICATION OF RATE RESOLUTION:

Section ten as amended reads as follows:

Upon adoption by the Board of the rate resolution provided in Section 9, and no later than ~~August~~ November 10th of each year, the Board or its designee shall forthwith deliver a certified copy of said rate resolution to the Lee County Tax Collector ~~or / other / Board / Designee~~ who will be responsible for collecting the annual special assessment. Based upon said rate resolution, the Lee County Tax Collector or other Board designee shall cause to be prepared an annual collection special assessment roll. Such roll shall contain a summary description of each residential unit within the County on the first day of January prior to the fiscal year for which the

002189 PG3354

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annual collection special assessment is to be imposed, the name and address of the owner of each such unit, and the amount of the annual collection special assessment applicable to each residential unit. The summary description of each residential unit shall be identified by the Florida Department of Revenue Use Code Numeric Application and in such detail as to permit ready identification of each unit on the real property assessment roll.

Upon the completion of the preparation of the annual collection special assessment roll, and no later than ~~September~~ December 1 of each year, the Board shall at any regular or special meeting with 15 days published public notice, review the annual collection special assessment roll prepared by the Lee County Tax Collector ~~or other Board~~ designee for preparation in conformity with the rate resolution. The Board shall make such changes, modifications or additions as necessary to conform such roll with the rate resolution. If upon the completion of such review, the Board shall be satisfied that the annual collection special assessment roll has been prepared in conformity with the rate resolution, it shall ratify and confirm such roll and certify the roll to the Lee County Tax Collector ~~or other Board~~ designee for collection, no later than ~~September~~ January 1 of each year, and assessment bills to be duly sent by ~~October~~ February 1 of each year.

OR2189 PG3355

It is the intent of this Ordinance that the dates referenced in Section 9 and Section 10 hereof above are to be applied as of April 1987. The following listed dates as referenced by Section number of this Ordinance are to be applicable and effective until such time as solid waste service is commenced per Section Seven hereof. The dates are as listed per section number and provision of the Ordinance, respectively:

- A. Section 9(c), Petition for Rate Review. On or before August 1, 1986.
- B. Section 9(d), Delivery of legal descriptions. By July 1st, 1986.
- C. Section 9(d), Copy of Assessment Roll provided. On or before August 1st, 1986.
- D. Section 9(e), Special Assessment Rate Hearing. On or before October 1st, 1986.
- E. Section 10, Delivery of Rate Resolution. On or before October 1st, 1986.
- F. Section 10, Review of Special Assessment Roll. On or before December 1, 1986.
- G. Section 10, Certification of Roll. On or before December 1, 1986.
- H. Section 10, Assessment Bills to be Sent. By February 1, 1987.

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SECTION TWELVE. SCOPE OF SPECIAL ASSESSMENT;
DELINQUENCY; LIENS:

Section twelve as amended reads as follows:

The annual special assessment shall be imposed against the owners of all residential units for Residential Collection service in the benefit units if such residential unit is generating or is capable of generating garbage and waste on the first day of January prior to the fiscal year in which the annual collection special assessment is imposed, regardless of the occupancy of such property on said date. The owner and description of each residential unit property shall be that designated on the real property assessment roll maintained by the Property Appraiser of Lee County even though the Property Appraiser's Assessment Roll may not be current with regard to ownership. The annual collection special assessment shall be imposed upon the ratification and certification of the assessment roll and become due and payable by ~~November/15th~~ April 1 of each year or within sixty (60) days from the mailing of the original special assessment bill by the Lee County Tax Collector ~~or/other/Board/designee~~, whichever is later. All delinquent special assessments billed and collected by the Lee County Tax Collector ~~or/other/Board/designee~~ shall bear interest at the legal rates as set forth by Florida Statutes and if not fully paid with all accrued interest by the due date of the next succeeded garbage and waste special assessment

OR2189 PG3357

payment, additional interest at the rate of one (1) percent per month upon the due but unpaid principal portion of the special assessment payment shall be added successively for each month until fully paid. All annual special assessments imposed upon the owners of residential units under the provisions of this Ordinance becoming due and payable ~~November/15th~~ April 1 of each year or within 60 days from mailing the original bill as stated above shall constitute and are hereby imposed as liens against such residential units as of the date the special assessment becomes delinquent. The non-payment of one entire annual special assessment shall constitute delinquency. At that time, the Lee County Tax Collector shall file with the Clerk of the Circuit Court a lien against said delinquent residential unit. Prior to the filing of such a lien, the Lee County Tax Collector shall send, by registered mail, to the owner of the delinquent residential unit, at least two (2) notice of intent to file such a lien.

Said annual collection special assessments shall remain liens equal in rank and dignity with the lien of the County ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles and claims in and to or against the real property involved.

If any annual collection special assessment lien becomes delinquent, the Board, upon receipt of the list of outstanding and delinquent annual special assessments from the Lee County Tax Collector ~~or/ Board/ designee~~ shall, by resolution,

002189 PG3358

record a notice of delinquent annual special assessment including all interest provided herein, a legal description of the residential units as indicated on the real property assessment roll maintained by the Property Appraiser of Lee County. Said notice of delinquent lien shall be recorded in the public records of Lee County, Florida, by the Board. Upon payment and receipt of the list for paid or discharged lien or liens from the Clerk of the Circuit Court acting as the Clerk of the Board, the Board shall also record a resolution satisfying said lien or liens.

The payment of the annual special assessment may be made in a single annual payment or in four equal quarterly installments, the due dates for payment will be designated in the annual bill to be sent by the Lee County Tax Collector on February 1 of each year. The single annual payment shall be entitled to a four percent (4%) discount if paid in a timely manner, that is, by the due date as designated on the annual assessment bill.

The quarterly installment payments will be subject to a penalty fee of five dollars (\$5.00) if the installment has not been paid within fifteen (15) days after the due date for the particular quarterly payment. This penalty fee shall be in addition to any and all other penalties assessed for late payments of the quarterly installments. The quarterly installment penalty fee also shall be cumulative, that is, each late quarterly payment so penalized, will have its own penalty assessed.

082189 PG3359

An interlocal agreement designating the Lee County Tax Collector as the authorized agent for the collection and the disbursement of the mandatory garbage residential special assessment funds is hereby authorized. This interlocal agreement, consisting of a contract for services, shall be executed between the governing body and the Lee County Tax Collector by February 1, 1987, shall remain in force for a period of five (5) years, and shall be renewable for additional five (5) year increments upon the approval and re-execution of the agreement between the Lee County Tax Collector and the governing body.

SECTION THIRTEEN. CORRECTION OF ERRORS AND OMISSIONS;

PETITION TO BOARD:

Section thirteen as amended reads as follows:

No act of error, omission or commission on the part of the Property Appraiser, Tax Collector, Board, Clerk, or their deputies or employees, or other Board designee shall operate to defeat the payment of the annual collection special assessment imposed by the Board under the provision of this Ordinance. Provided, however, any errors, or omission or commission may be corrected at any time by the officers or party responsible for them in like manner as provided under this Ordinance for performing such acts in the first place, and when so corrected they shall be construed as valid ab initio and shall in no way affect any process by law for the enforcement of the annual collection special assessment imposed under the provisions of this Ordinance.

-28-

The Board shall in accordance with the separate corresponding franchise contracts have the authority, at any time, upon its own initiative or in response to a timely filed petition from any affected owner of residential units to correct any error, omission or commission in the adoption of any annual collection special assessment roll or in the implementation of this Ordinance, including but not limited to, an error in including any residential unit within the scope of this Ordinance and any error in the circulation of the annual collection special assessment imposed against any residential unit.

Any owner of real property may petition the Board to correct any asserted error, omission or commission in relation to his property in the adoption of the annual collection special assessment roll or in the implementation of this Ordinance within ninety (90) days of the date the asserted error took place. Such petition shall be initiated by filing with the Board or its designee, a written petition containing the name of the owner, a legal description of the real property affected, a summary description of the asserted error and the relief requested of the Board. Such petition shall be considered by the Board at any regular or special meeting.

PETITION TO COURTS:

Any suit, action or proceeding in the Courts questioning the validity of any of the provisions of this Ordinance or its amendments, or resolutions, creating special assessment benefit

OR2189 PG3361

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units for the mandatory collection of solid waste, or the sufficiency or the regularity or the legality of the petition for the creation and establishment of said districts, the publication, posting or mailing of copies of the notice to the public stating the place, date and hour for a public hearing or of any proceeding theretofore taken in connection with the creation and establishment of said districts, or the levy of special assessments, or both, as provided in such ordinance, its amendments or resolutions, shall be commenced within a period of thirty (30) days after the filing with the Clerk of the Circuit Court, a copy of the adopted ordinance, its amendments or resolution creating and establishing said districts. After the expiration of this period of limitation, no right of action or defense founded upon the invalidity of any such provisions of this ordinance, its amendments, resolutions, petitions or proceedings shall be asserted, and no court shall have authority to inquire into any such matters, and no suit, action or proceeding shall be instituted with respect thereto.

III. EFFECT OF AMENDMENTS

Lee County Ordinance 86-14 shall remain in full force and effect in its entirety, with the exception of the amended provisions herein which now have controlling effect.

OR2189 PG3362

IV. SEVERABILITY

The provisions of this Ordinance are severable and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided for. If any of the provisions of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

GR 189 PG3363

V. EFFECTIVE DATE

This Ordinance shall become effective upon notice from the Secretary of the State of Florida that the Ordinance has been duly recorded and filed.

THE FOREGOING ORDINANCE was offered by Commissioner Fussell who moved its adoption. The motion was seconded by Commissioner Goss and, upon being put to a vote, the vote was as follows:

BILL FUSSELL
DONALD D. SLISHER
PORTER J. GOSS
CHARLES BIGELOW
MARY ANN WALLACE

AYEAYEAYEAYENAY

BEST COPY

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DONE AND ADOPTED this 17th day of December,
1986.

ATTEST:
CHARLIE GREEN, CLERK

By: Mary Demontout
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: Bice Russell
Chairman

APPROVED AS TO FORM:

D. M. O.
Asst. Co. Att'y.

Source of origin:

OR2189 PG3364

(72641)

FRANCHISE/AREA

OR2189 PG3365

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TURNER DISPOSAL LAND DESCRIPTION

SCHEDULE "A"

FRANCHISE AREA

The Turner Disposal Franchise Area as amended reads as follows:

Beginning at the northeast corner of Township 43 South, Range 25 East, run west along the north line of said Township to the northwest corner of Section 4, Township 43 South, Range 23 East; thence run south along the west line of said Section 4 and along the west line of Sections 9, 16, 21, 28, and 33 of said Township and Range and along the west line of Sections 4, 9, 16 and 21 Township 44 South, Range 24 East to the southwest corner of said Section 21; thence run east along the south line of said Section 21 and an easterly prolongation of said line to the channel of the Caloosahatchee River; thence run northeasterly and easterly along said channel to the east line of Range 25 East; thence run north along said east line to the northeast corner of Township 43 South, Range 25 East and the point of beginning. Less Section 21, Township 43 South, Range 23 East.

EXHIBIT A

AREA NO. 4

(72261)

0R2189 PG3366

LEHIGH UTILITIES, INC.

Description Of Land To Be Included In Mandatory Solid Waste And Garbage Collection Franchise.

The Lehigh Utilities Collection Franchise Area as amended reads as follows:

Township 44 South, Range 26 East

All of Sections 1, 2, 3, 11, 12, and 13; the east half of section 14; that portion of section 16 known as the resubdivision of block 3, Buckingham Park as recorded in plat book 27 at pages 188 through 193 inclusive; the east half of section 19, lying south of Buckingham County Road; all of section 20 lying south of Buckingham County Road; that portion of section 21 lying south of Buckingham Road as recorded in plat book 26, at pages 37 through 40 inclusive, and a small tract north of Buckingham County Road as recorded in plat book 26 at page 41, and that part of section 21, east of Guntery Road in unit 3 of Lehigh Park, as recorded in plat book 15, at page 66; all of section 22 lying south of Homestead Road as shown on the plat of Lehigh Estates recorded in plat book 15, at pages 64 through 66 inclusive; all of sections 23, 24, 25, 26, 27, 28 and 29; the south half and the northeast quarter of section 30; all of sections 31 lying north of State Road 82; and all of sections 32, 33, 34, 35 and 36.

Township 45 South, Range 26 East

All of sections 1, 2, and 3; all of section 4 lying north of State Road 82; all of section 5 lying north of State Road 82; all of section 9 lying north of State Road 82; all of section 10 lying north of State Road 82; all of section 11 lying north of State Road 82; all of section 12; all of section 13 lying north of State Road 82; and all of section 14 lying north of State Road 82.

Township 43 South, Range 27 East

The southeast quarter of section 36.

Township 44 South, Range 27 East

All of section 1; all of section 2 less the northwest quarter of the northwest quarter; the south half and the west half of the northwest quarter of section 3; all of sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36.

082189 PG3367

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Township 45 South, Range 27 East

All of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26; all of section 27 lying north of State Road 82; all of section 28 lying north of State Road 82; all of section 29 lying north of State Road 82; all of section 34 lying north of State Road 82; all of section 35 lying north of State Road 82; and all of section 36.

OR2189 PG3368

EXHIBIT A

AREA NO. 3

(72201)

Source: 1/4 of Section 36

OR2189 Pg3369

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37

Read / to / Intersection / of / West / Line / of / Section / 26 / Township / 45
 South / Range / 27 / East / the / corner / of / section / along / East / West / line of
 section / of / the / Northwest / corner / of / East / Section / the / hence
 East / along / section / line / of / Township / 45 / South / to / East / line of
 Lee / County / the / corner / of / section / the / East / Line / of / the / section / to
 the / Northwest / corner / of / Section / 27 / Township / 44 / South / Range
 27 / East / side / corner / being / the / point / of / beginning /

EXHIBIT/A

AREA/NO. / 3

DR2189 P33370

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SANIBEL LAND DESCRIPTION

SCHEDULE "A"

FRANCHISE AREA

The Sanibel Franchise Area as amended reads as follows:

The Sanibel Island Franchise Area
is deleted from this Ordinance.

OR2189 PG3371

EXHIBIT A

AREA NO. 7

(72771)

BEST COPY

OR2189 PG3372

STATE OF FLORIDA
COUNTY OF LEE

I, Charlie Green, Clerk of Circuit Court, Lee County, Florida, and ex-Officio Clerk of the Board of County Commissioners, Lee County, Florida, do hereby Certify that the above and foregoing, is a true and correct copy of Ordinance No. 86-38, adopted by the Board of Lee County Commissioners, at their meeting held on the 17th day of December, 1986, and same filed in the Ordinance Book.

Given under my hand and seal, at Fort Myers, Florida, this 14th day of November, 1990.

CHARLIE GREEN,
Clerk of Circuit Court
Lee County, Florida

By *Dilma B. Pope*
Deputy Clerk

CHARLIE GREEN LEE CTY FL
90 NOV 30 PM 4:39

[Search](#) > Account Summary**Real Estate Account #18-43-26-00-00001.0060****Owner:**

SINGLETARY STEVE R & HEIDI L L

Situs:18200 STATE ROAD 31
ALVA 33920[Parcel details](#)[GIS](#)[Property Appraiser](#)☒ Homestead Exemption[Get bills by email](#)**Amount Due**Your account is **paid in full**. There is nothing due at this time.Your last payment was made on **11/30/2024** for **\$3,558.46**.[Apply for the 2025 installment payment plan](#)**Account History**

BILL	AMOUNT DUE	STATUS			ACTION
2024 Annual Bill ⓘ	\$0.00	Paid \$3,558.46	11/30/2024	Receipt #DP-00-03009886	Print (PDF)
2023 Annual Bill ⓘ	\$0.00	Paid \$3,473.61	11/09/2023	Receipt #DP-00-01661704	Print (PDF)
2022 Annual Bill ⓘ	\$0.00	Paid \$3,567.57	12/05/2022	Receipt #DP-00-00641368	Print (PDF)
2021 Annual Bill ⓘ	\$0.00	Paid \$3,516.85	11/05/2021	Receipt #604409-989	Print (PDF)
2020 Annual Bill ⓘ	\$0.00	Paid \$3,531.18	11/10/2020	Receipt #569803-53	Print (PDF)
2019 Annual Bill ⓘ	\$0.00	Paid \$3,458.63	11/21/2019	Receipt #538025-8	Print (PDF)
2018 Annual Bill ⓘ	\$0.00	Paid \$3,449.08	11/15/2018	Receipt #498875-589	Print (PDF)
2017 Annual Bill ⓘ	\$0.00	Paid \$3,443.91	11/08/2017	Receipt #461645-108	Print (PDF)
2016 Annual Bill ⓘ	\$0.00	Paid \$3,458.00	12/21/2016	Receipt #433048-48	Print (PDF)
2015 Annual Bill ⓘ	\$0.00	Paid \$3,454.25	11/16/2015	Receipt #20036-50	Print (PDF)
2014 Annual Bill ⓘ	\$0.00	Paid \$3,441.77	11/14/2014	Receipt #19489-772	Print (PDF)
2013 Annual Bill ⓘ	\$0.00	Paid \$3,460.90	12/10/2013	Receipt #19158-668	Print (PDF)
2012 Annual Bill ⓘ	\$0.00	Paid \$3,391.73	11/30/2012	Receipt #18678-156	Print (PDF)
Total Amount Due	\$0.00				

Instrument prepared by/return to:
(Without Title Examination)
LaDonna J. Cody, P. A.
Attorney at Law
12661 New Brittany Blvd.
Fort Myers, FL 33907

Parcel identification number: 18-43-26-00-00001.0060

WARRANTY DEED

THIS INDENTURE made this 7 day of January, 2016, between STEVE R. SINGLETARY, also known as RICHARD STEPHEN SINGLETARY and HEIDI L. SINGLETARY, also known as HEIDI LYNN SINGLETARY Husband and Wife,

Grantor, whose post office address is 18200 State Road 32, Alva, FL 33920,

and

RICHARD STEPHEN SINGLETARY and HEIDI LYNN SINGLETARY, as Trustees of the SINGLETARY FAMILY TRUST dated January 7, 2016,

Grantee, whose post office address is 18200 State Road 32, Alva, FL 33920.

WITNESSETH, that said Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt of which is hereby acknowledged, have granted, bargained and sold to the said Grantee, and Grantee's heirs and assign forever, the following described land, situate, lying and being in LEE County, Florida, to wit:

A tract or parcel of land lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, said corner lying on the Westerly right-of-way line of State Road 31, (100 feet wide), thence run S 88°46'28" E for 100.00 feet to the Easterly right-of-way of said State Road 31 (basis of bearings), thence run N 00°26'31" W along said Easterly right-of-way line for 811.99 feet to the point of beginning to the herein described parcel:

From said point of beginning continue running N 00°26'31" W along said right-of-way line for 569.02 feet; thence run S 88°53'02" E for 1290.40 feet; thence run S 00°16'25" W for 569.02 feet; thence run N 88°52'38" W for 1283.29 feet to the point of beginning.

Said parcel contains 16.81 acres, more or less.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the current year and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

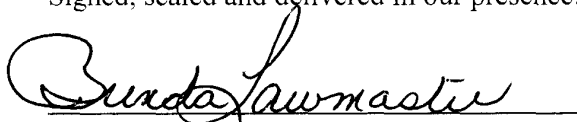
Grantors reserve unto themselves, jointly and severally, a life estate in the property described above.

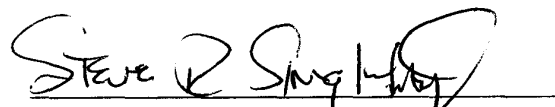
And said grantor does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever. The terms "grantor" and "grantee" are used for singular or plural as context requires.

The Trustees, jointly and severally, named herein and the successor trustees under said trust agreement have full rights of ownership over this property, with full power and authority either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property or interest therein.

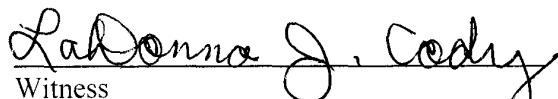
IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Witness


STEVE R. SINGLETARY

BRENDA LAWMASTER
Printed Name of Witness

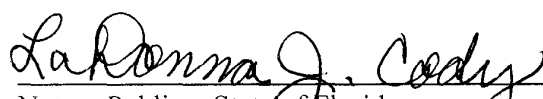

Witness

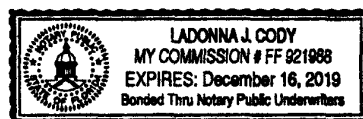

HEIDI L. SINGLETARY

LaDonna J. Cody
Printed Name of Witness

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 7 day of January, 2016, by STEVE R. SINGLETARY and HEIDI L. SINGLETARY, () who are personally known to me or (x) who presented Florida Driver's Licenses as identification.


Notary Public—State of Florida



TITLE CERTIFICATION / PROPERTY INFORMATION REPORT

Showing Information Required by Lee County Land Development Code Section 34-202(a)(7)

Issuer: Attorneys' Title Fund Services, Inc.
Recipient: Henderson Franklin Starnes & Holt, P.A., and
Lee County Board of County Commissioners

Fund File Number: 1607095

Agent's File Reference: EPC 44270.1

Provided For: Henderson Franklin Starnes & Holt, P.A. and
Lee County Board of County Commissioners

Effective Date of Search: January 31, 2025 at 11:00 PM

Description of Real Property Situated in Lee County, Florida:

See Exhibit A

Record Title Vested in:

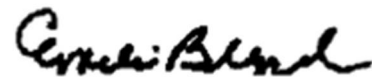
RICHARD STEPHEN SINGLETARY and HEIDI LYNN SINGLETARY, as Trustees of the SINGLETARY FAMILY TRUST dated January 7, 2016, by Warranty Deeds recorded in O.R. Book [2974, Page 2172](#); Clerk's File Number [2016 - 15912](#), Public Records of Lee County, Florida.

Prepared Date: February 4, 2025

Attorneys' Title Fund Services, Inc.

Prepared by: Jo Anne Young, Senior Examiner

Email Address: jyoung@thefund.com



Cyndi Bolyard
Branch Manager

TITLE CERTIFICATION / PROPERTY INFORMATION REPORT

Fund File Number: 1607095

The following mortgages are all the mortgages of record that have not been satisfied or released of record nor otherwise terminated by law:

1. No open mortgage(s) were found of record. Agent should confirm with the owner that the property is free and clear.

Other encumbrances affecting the title:

1. Note: The subject property appears to border on a body of water.
2. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book [2189, Page 3281](#) and amended by Ordinance No. 86-38 in O.R. Book [2189, Page 3334](#), Public Records of Lee County, Florida.
3. Grant of Easement in favor of Lee County Electric Cooperative recorded in O.R. Book [2552, Page 2647](#), Public Records of Lee County, Florida.
4. Grant of Easement in favor of Lee County Electric Cooperative recorded in O.R. Book [2986, Page 2352](#), Subordination of Utility Interests recorded in Clerk's File Number [2024 - 262730](#), and recorded in Clerk's File Number [2024 - 262727](#), Public Records of Lee County, Florida.
5. Grant of Easement in favor of Florida Gas Transmission Company recorded in O.R. Book [3200, Page 4367](#); O.R. Book [3215, Page 3698](#), Public Records of Lee County, Florida.
6. State of Florida Department of Transportation Project Resolution recorded in Clerk's File Number [2024 - 225228](#), Public Records of Lee County, Florida.
7. FOR INFORMATIONAL PURPOSES ONLY: 2024 taxes were paid under receipt number DP-00-03009886, on December 11, 2024, Parcel/Account ID# 18-43-26-00-00001.0060, the gross amount being \$3,706.73.

This search is provided pursuant to the requirements of Lee County Land Development Code Section 34-202(a)(7) for the uses and purposes specifically stated therein and is not to be used as the basis for issuance of an insurance commitment and/or policy. This certificate has been prepared expressly for the appropriate governing body as is defined by, Lee County Development Code Section 34-202(a)(7) and is not to be relied upon by any other group or person for any other purpose.

TITLE CERTIFICATION / PROPERTY INFORMATION REPORT

Exhibit A

Fund File Number: 1607095

A tract or parcel of land lying in Section 18, Township 43 South, Range 26 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, said corner lying on the Westerly right-of-way line of State Road 31, (100 feet wide), thence run S 88°46'28" E for 100.00 feet to the Easterly right-of-way of said State Road 31 (basis of bearings), thence run N 00°26'31" W along said Easterly right-of-way line for 811.99 feet to the Point of Beginning to the herein described parcel:

From said point of beginning continue running N 00°26'31" W along said right-of-way line for 569.02 feet; thence run S 88°53'02" E for 1290.40 feet; thence run S 00°16'25" W for 569.02 feet; thence run N 88°52'38" W for 1283.29 feet to the Point of Beginning.



Lee County Tax Collector

Noelle Branning

Account Number:

18-43-26-00-00001.0060

Alternate Key:

2100363446

Millage Code:

202

Site Address/Legal Description:

18200 STATE ROAD 31

ALVA 33920

PARL LOC IN THE W 1/2 OF THE W 1/2 OF THE SW

1/4 AS DESC IN OR 2974 PG 2172

2024 Real Estate Tax Notice

Ad Valorem Taxes and Non-Ad Valorem Assessments for Lee County, Florida

Exemptions/Values

Market Value	937,023
Assessed Value	275,467
Taxable Value	275,467
Homestead Exemption	25,000
Additional Homestead Exemption	25,000



See message below.

SINGLETARY STEVE R & HEIDI L L
18200 STATE ROAD 31
ALVA, FL 33920



SCAN
THIS CODE
to pay online
or visit
LeeTC.com/pay-online

Paid 12/11/2024 DP-00-03009886 \$3,558.46

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	275,467	50,000	225,467	848.27
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	275,467	25,000	250,467	563.05
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.0380	275,467	25,000	250,467	760.92
LEE COUNTY ALL HAZARDS - MSTU	239-533-2221	0.0693	275,467	50,000	225,467	15.62
LEE COUNTY UNINCORPORATED - MSTU	239-533-2221	0.8398	275,467	50,000	225,467	189.35
LEE COUNTY LIBRARY FUND	239-533-2221	0.4361	275,467	50,000	225,467	98.33
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	275,467	50,000	225,467	21.37
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	275,467	50,000	225,467	7.37
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	275,467	50,000	225,467	23.13
BAYSHORE FIRE & RESCUE DISTRICT	239-543-3443	3.5000	275,467	50,000	225,467	789.13
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0200	275,467	50,000	225,467	4.51
LEE COUNTY MOSQUITO CONTROL	239-694-2174	0.2200	275,467	50,000	225,467	49.60
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	275,467	50,000	225,467	8.88

Non-Ad Valorem Assessments Levying Authority

	Telephone	Rate	Basis	Amount
LEE COUNTY SOLID WASTE ASSESSMENT	239-533-8000		ACTL LEVY	327.20

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$3,706.73

2024 Real Estate Tax Notice

PAY ONLY ONE AMOUNT

If Received By:

- ☐ Nov 30, 2024
☐
☐
☐
☐

Amount Due:

\$0.00

Phone/Email Contact: _____

For payment options and instructions, refer to the back of this notice.

Paid 12/11/2024 DP-00-03009886 \$3,558.46

Account: 18-43-26-00-00001.0060

Site Address: 18200 STATE ROAD 31

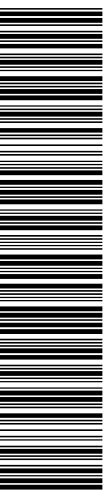
Alternate Key: 2100363446



If the address below is not correct, visit LeePA.org
to update your address.

SINGLETARY STEVE R & HEIDI L L
18200 STATE ROAD 31
ALVA, FL 33920

Make check payable to:
LEE COUNTY TAX COLLECTOR
PO BOX 1609
FORT MYERS, FL 33902-1609



Return with payment



IMPORTANT INSTRUCTIONS AND INFORMATION - PLEASE READ

Ad Valorem Taxes cover the period January 1 through December 31 of the tax year indicated on the front of this notice. Tax notices are mailed on or about November 1 and become delinquent April 1. Failure to receive a tax notice does not extend discounts or excuse taxpayers' responsibilities to pay taxes and applicable penalties for late payments. Installment tax notices are mailed in June, September, December and March. Installment payment discounts are: June (6%), September (4.5%) and December (3%).

Governmental Office Responsibilities



Lee County Tax Collector

The Tax Collector prints, mails, and collects payments based on the tax rolls certified by the Property Appraiser and Levying Authorities.

Contact the Tax Collector to:

- Pay your current or delinquent property taxes
- Learn about Partial Payment, Installment Payment, and Homestead Tax Deferral plans
- Print your tax bills and receipts

Phone: 239-533-6000 • Website: **LeeTC.com**



Lee County Property Appraiser

The Property Appraiser values properties and prepares and certifies the tax roll which includes assessed values, exemptions, legal description, assessed owner(s) name and mailing address.

Contact the Property Appraiser to:

- Ask questions about the assessed value or exemption of your property
- Change your mailing address
- File or check on Homestead and other exemptions

Phone: 239-533-6100 • Website: **LeePA.org**



Lee County Levying Authorities

Lee County Levying Authorities establish millage rates and assessments based on revenue needed for operating expenses.

Call your Levying Authority with direct questions regarding services provided or rates charged.

A list of Levying Authorities and phone numbers may appear on the front of this notice or can be found on your property tax bill.

Visit **LeeTC.com/property-taxes** for instructions on viewing your bill.

Discounts

The amounts indicated on the front of this notice represent the total taxes and assessments due (if applicable) less discounts allowed for early payment. When the discount period ends on a weekend or holiday, the discount is extended to the next business day. Taxes are due by March 31 of each year.

4% if paid in **NOVEMBER**

3% if paid in **DECEMBER**

2% if paid in **JANUARY**

1% if paid in **FEBRUARY**

Payment Options

PAY ONLINE



Visit **LeeTC.com**

Other ways to pay:

Mail: Check or money order.

Phone: 239.533.6000.

In Person: Cash, check, money order, debit card (PIN required), and all major credit cards.

Note: A convenience fee is charged when using a credit or debit card and is subject to service provider rates which may vary. No portion of this fee is retained by the Tax Collector's office.

Note: If using your bank's online bill pay, make sure you allow for processing time so payment arrives by the received date listed on the front of this notice.

Delinquent Taxes

Payment of delinquent taxes must be made in certified U.S. funds drawn on a U.S. bank. The amount due is determined by the date payment is received. Failure to pay delinquent taxes could result in the loss of your property. On April 1 the following charges are imposed by Florida Law:

Real Estate: 3% minimum interest and advertising costs. A tax certificate sale is held on or before June 1 resulting in additional charges.

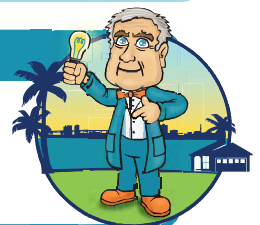
Tangible Personal Property: 18% interest annually, cost of advertising, and fees. Tax warrants will be issued on all unpaid personal property taxes on or about June 1.

Confirm Payment

Confirm receipt of your payment online at our official website **LeeTC.com**. Your taxes are not considered paid until your payment clears our bank and is applied to your tax account.

Have you met Edison?

Edison is our automated chatbot that can answer many of your questions relating to property taxes and much more. Available 24/7, you can find Edison at the bottom of our website, **LeeTC.com**.



Property Sold: forward this notice to the new owner(s).

NOTICE: Pursuant to Florida Statute 590.125(5), be advised that the Florida Forest Service may be performing prescribed burning and/or other treatments in a project area that includes your property in Lee County, Florida. These efforts are to reduce fuel loads and threat of wildfires. These projects are planned to occur from the date of this notice until the same date the following year. This service is provided at no cost to the affected landowner(s). Contact the Florida Forest Service if you have questions regarding this service at: 10941 Palm Beach Blvd., Fort Myers, FL 33905, or 239.690.8001.

Our Mission: Deliver 5-Star service quickly and efficiently through an organizational culture that values customers, team, and community.

23-UTL.01-06/93

Date: June 21, 2024

This instrument prepared
under the direction of:

Angela D. Tucker, Chief Counsel
Post Office Box 1249
Bartow, Florida 33831-1249
Department of Transportation

F.P. NO. 4289171 & 4289172 &

4420274

PARCEL 809.2

SECTION 01030-000 & 12090-000

STATE ROAD 31

COUNTY Lee

SUBORDINATION OF UTILITY INTERESTS

THIS AGREEMENT, entered into on the date executed by the State of Florida Department of Transportation District One Secretary or their Designee, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY ELECTRIC COOPERATIVE, INC., A FLORIDA CORPORATION, including its assigns, hereinafter called Utility.

WITNESSETH:

WHEREAS, the Utility presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by Utility to the FDOT; and

WHEREAS, the FDOT is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, Utility and FDOT agree as follows:

Utility hereby subordinates to the interest of FDOT, its successors, or assigns, any and all of its interest in the lands as follows, viz:

SEE EXHIBIT "A"

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	07-01-98	Steve R. Singletary and Heidi L. Singletary husband and wife	Lee County Electric Cooperative, Inc., a Florida corporation	OR 2986 PG 2352

PROVIDED that the Utility has the following rights:

1. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the FDOT's current minimum standards for such facilities as required by the FDOT Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the FDOT. Should the FDOT fail to approve any new construction or relocation of facilities by the Utility or require the Utility to alter, adjust, or relocate its facilities located within said lands, the FDOT hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The Utility shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the FDOT's facilities.
4. The Utility agrees to repair any damage to FDOT facilities and to indemnify the FDOT against any loss or damage resulting from the Utility exercising its rights outlined in Paragraphs 1 and 3 above, provided, however, Utility shall not be held liable for any damage to FDOT facilities cause by entities other than the Utility including its contractors, agents, and/or employees.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

WITNESSES

Amanda Alejos (SEAL)

Amanda Alejos
Legibly Print/Type Name

*Witness Mailing Address:

Post Office Box 1249

Bartow, Florida 33831-1249

Anna M Dunn (SEAL)

Anna M Dunn
Legibly Print/Type Name

*Witness Mailing Address:

Post Office Box 1249

Bartow, Florida 33831-1249

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

By: Nicole Mills

WAA District Secretary/Designee for
District One

Post Office Box 1249

Bartow, Florida 33831-1249

Legal Review:

Don Conway
Department Attorney
Don Conway, Senior Attorney FDOT

**In accordance with Florida Statute 695.26, effective Jan. 1, 2024, names and addresses of witnesses must be legibly printed, typed or stamped for the clerk of the court to accept this document for recording.*

STATE OF FL
COUNTY OF Polk

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12 day of August, 2024, by Nicole Mills, P.E. Director of Trans Dev of FDOT District 1, a FDOT Corporation, on behalf of the Corporation, who is personally known to me or who has produced _____ as identification.

Name: Amanda Alejos Notary Public in and for the County and State last aforesaid. My Commission Expires: 8-15-26 Serial No., if any: HH300821



AMANDA ALEJOS
Notary Public
State of Florida
Comm# HH300821
Expires 8/15/2026

IN WITNESS WHEREOF, the Utility has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of: (Two witnesses or Corporate Seal required by Florida Law)

WITNESSES

M. Olten (SEAL)

Madison Obrecht
Legibly Print/Type Name

*Witness Mailing Address:

4980 Bayline Dr.
N. Fort Myers, FL 33917

Julie Vaughn (SEAL)

Julie Vaughn
Legibly Print/Type Name

*Witness Mailing Address:

4980 Bayline Dr.
N. Ft. Myers, FL 33917

GRANTOR(S)

Name: Denise Vidal

Denise Vidal
Legibly Print/Type Name

TITLE: EVP/CEO

ATTEST: _____ (SEAL)

Name: _____

Legibly Print/Type Name

TITLE: _____

ATTEST: _____ (SEAL)

Grantor(s)' Mailing Address:

*In accordance with Florida Statute 695.26, as amended, effective Jan. 1, 2024, names and addresses of witnesses must be legibly printed, typed or stamped for the clerk of the court to accept this document for recording.

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 15th day of July, 2024, by Denise Vidal, EVP/CEO of Lee County Electric Cooperative, Inc. not-for-profit Corporation, on behalf of the Corporation, who is personally known to me or who has produced _____ as identification.

Name: Julie Vaughn Notary Public in and for the County and State last aforesaid. My Commission Expires: 10-17-25 Serial No., if any: HH 143188



JULIE VAUGHN
Commission # HH 143188
Expires October 17, 2025
Bonded Thru Budget Notary Services

F.P. NO. 4289171 & 4289172 & 4420274

SECTION 01030-000 & 12090-000

PARCEL 809

PERPETUAL EASEMENT

That portion of Gov't Lot 4, lying in the southwest 1/4 of said Section 18, Township 43 South, Range 26 East, Lee County, Florida.

Being described as follows:

Commence at the southwest corner of the southwest 1/4 of said Section 18, thence along the south line of said southwest 1/4, South 88°45'43" East a distance of 49.75 feet to survey baseline of State Road 78, thence along said survey baseline North 00°27'19" West a distance of 1,131.75 feet; thence North 89°32'41" East a distance of 50.00 feet to the east existing right of way line of said State Road 78 [per Section 1203-201(1252-150) for a POINT OF BEGINNING; thence along said east existing right of way line North 00°27'19" West a distance of 75.00 feet; thence North 89°32'41" East a distance of 50.00 feet; thence South 00°27'19" East a distance of 75.00 feet; thence South 89°32'41" West a distance of 50.00 feet to the POINT OF BEGINNING.

Containing 3,750 square feet.

Legal Description Approved by
Wilfredo A. Alfonzo P.S.M. #7107
On June 14, 2024

23-UTL.01-06/93

Date: June 21, 2024

This instrument prepared
under the direction of:

Angela D. Tucker, Chief Counsel
Post Office Box 1249
Bartow, Florida 33831-1249
Department of Transportation

F.P. NO. 4289171 & 4289172 &

4420274

PARCEL 106.2

SECTION 01030-000 & 12090-000

STATE ROAD 31

COUNTY Lee

SUBORDINATION OF UTILITY INTERESTS

THIS AGREEMENT, entered into on the date executed by the State of Florida Department of Transportation District One Secretary or their Designee, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the FDOT, whose post office address is: Post Office Box 1249, Bartow, Florida 33831-1249 and LEE COUNTY ELECTRIC COOPERATIVE, INC., A FLORIDA CORPORATION, including its assigns, hereinafter called Utility.

WITNESSETH:

WHEREAS, the Utility presently has an interest in certain lands that have been determined necessary for highway purposes; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by Utility to the FDOT; and

WHEREAS, the FDOT is willing to pay to have the Utility's facilities relocated if necessary to prevent conflict between the facilities so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, Utility and FDOT agree as follows:

Utility hereby subordinates to the interest of FDOT, its successors, or assigns, any and all of its interest in the lands as follows, viz:

SEE EXHIBIT "A"

RECORDED

INSTRUMENT	DATE	FROM	TO	O.R. BOOK/PAGE
Easement	07-01-98	Steve R. Singletary and Heidi L. Singletary, husband and wife	Lee County Electric Cooperative, Inc., a Florida corporation	OR 2986 PG 2352

PROVIDED that the Utility has the following rights:

1. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the FDOT's current minimum standards for such facilities as required by the FDOT Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the FDOT. Should the FDOT fail to approve any new construction or relocation of facilities by the Utility or require the Utility to alter, adjust, or relocate its facilities located within said lands, the FDOT hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate easements.
2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.
3. The Utility shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the FDOT's facilities.
4. The Utility agrees to repair any damage to FDOT facilities and to indemnify the FDOT against any loss or damage resulting from the Utility exercising its rights outlined in Paragraphs 1 and 3 above, provided, however, Utility shall not be held liable for any damage to FDOT facilities cause by entities other than the Utility including its contractors, agents, and/or employees.

IN WITNESS WHEREOF, the FDOT hereto has executed this agreement on the day and year first above written.

WITNESSES

Amanda Alejos (SEAL)

Amanda Alejos
Legibly Print/Type Name

*Witness Mailing Address:

Post Office Box 1249

Bartow, Florida 33831-1249

Anna M Dunn (SEAL)

Anna M Dunn
Legibly Print/Type Name

*Witness Mailing Address:

Post Office Box 1249

Bartow, Florida 33831-1249

STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

By: Nicholas
WAA District Secretary/Designee for
District One
Post Office Box 1249

Bartow, Florida 33831-1249

Legal Review:

Don Conway
Department Attorney

Don Conway, Senior Attorney FDOT

**In accordance with Florida Statute 695.26, effective Jan. 1, 2024, names and addresses of witnesses must be legibly printed, typed or stamped for the clerk of the court to accept this document for recording.*

STATE OF FL
COUNTY OF Polk

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12 day of August, 2024, by Nicole Mills, P.E., Director of Trans. Dev. of FDOT District 1, a Corporation, on behalf of the Corporation, who is personally known to me or who has produced _____ as identification.

Name: Amanda Alejos Notary Public in and for the County and State last aforesaid. My Commission Expires: 8-15-26 Serial No., if any: HH300821



AMANDA ALEJOS
Notary Public
State of Florida
Comm# HH300821
Expires 8/15/2026

IN WITNESS WHEREOF, the Utility has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in the presence of: (Two witnesses or Corporate Seal required by Florida Law)

WITNESSES

M. Olta (SEAL)

Madison Obrochta
Legibly Print/Type Name

*Witness Mailing Address:

4980 Bayline Dr.
N. Fort Myers, FL 33917

Julie Vaughn (SEAL)

Julie Vaughn
Legibly Print/Type Name

*Witness Mailing Address:

4980 Bayline Dr.
N. Ft. Myers, FL 33917

GRANTOR(S)

Name: Denise Vidal

Denise Vidal
Legibly Print/Type Name

TITLE: EVP/CEO

ATTEST: _____ (SEAL)

Name: _____

Legibly Print/Type Name

TITLE: _____

ATTEST: _____ (SEAL)

Grantor(s)' Mailing Address:

*In accordance with Florida Statute 695.26, as amended, effective Jan. 1, 2024, names and addresses of witnesses must be legibly printed, typed or stamped for the clerk of the court to accept this document for recording.

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 15th day of July, 2024, by Denise Vidal, EVP/CEO of Lee County Electric Cooperative, Inc., not-for-profit Corporation, on behalf of the Corporation, who is personally known to me or who has produced n/a as identification.

Name: Julie Vaughn Notary Public in and for the County and State last aforesaid. My Commission Expires: 10-17-25 Serial No., if any: HH143188



F.P. NO. 4289171 & 4289172 & 4420274

SECTION 01030-000 & 12090-000

PARCEL 106

RIGHT OF WAY

Those portions of Gov't Lots 3 and 4, lying in the southwest 1/4 of Section 18, Township 43 South, Range 26 East, Lee County, Florida.

Being described as follows:

Commence at the southwest corner of the southwest 1/4 of said Section 18, thence along the south line of said southwest 1/4, South 88°45'43" East a distance of 49.75 feet to the survey baseline of State Road 78, thence along said survey baseline North 00°27'19" West a distance of 811.88 feet; thence South 88°53'26" East a distance of 153.02 feet for a POINT OF BEGINNING; thence North 08°22'24" West a distance of 228.55 feet to the beginning of a curve having a radius of 3,015.00 feet; thence along the arc of said curve to the right a distance of 98.39 feet through a central angle of 01°52'11" with a chord bearing North 07°19'16" West to the end of said curve; thence South 89°32'41" West a distance of 9.71 feet; thence North 00°27'19" West a distance of 246.42 feet; thence South 88°53'50" East a distance of 213.27 feet to the beginning of a curve having a radius of 5,394.00 feet; thence along the arc of said curve to the left a distance of 558.40 feet through a central angle of 05°55'53" with a chord bearing South 05°12'04" East to the end of said curve; thence South 08°10'01" East a distance of 14.26 feet; thence North 88°53'26" West a distance of 208.40 feet to the POINT OF BEGINNING.

Containing 2.806 acres

Legal Description Approved by
Wilfredo A. Alfonzo P.S.M. #7107
On June 14, 2024

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PROJECT RESOLUTION
FOR STATE HIGHWAY SYSTEM PROJECTS**

WHEREAS, pursuant to Chapters 334 through 339 and Chapters 73 and 74, Florida Statutes, as amended, the State of Florida, Department of Transportation ("Department") has authority to locate and designate certain transportation facilities as a part of the State Highway System and construct and maintain the same with funds which are now or which may hereafter become available to the Department; and

WHEREAS, pursuant to Section 337.27, Florida Statutes, the Secretary of Transportation has delegated the authority to execute eminent domain resolutions to the Chief Administrative Officer of the District in which the property is located; and

WHEREAS, the property to be acquired hereunder is located in District One of the Department; and

WHEREAS, L.K. Nandam, P.E., is the Chief Administrative Officer of said District; and

WHEREAS, the Department has bifurcated its eminent domain resolutions into two types of resolutions; the Project Resolution, authorizing acquisition of property and property rights for the transportation facility, and the Parcel Resolution, authorizing the parcel acquisition and identifying the specific property and property rights to be acquired for the transportation facility; and

WHEREAS, the Department has prepared Right of Way maps showing the two geographic points (beginning and ending points of the transportation corridor) for Item/Segment Number 428917-1, 428917-2, 442027-4 together with the projected area within said corridor; and

WHEREAS, the Department anticipates revising the Right of Way maps to reflect changes that may occur within the area between the two geographic points of the transportation corridor. The two geographic points will remain the same unless changed by a Supplemental Project Resolution.

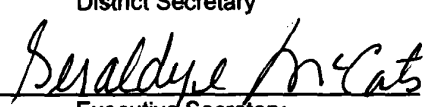
NOW, THEREFORE, BE IT RESOLVED by the District Secretary that the part located at State Road 31, from State road 78 to Cook Brown Road, Lying in Sections 1, 12, 13 & 24 Township 43 South, Range 25 East & Sections 6, 7, 18, & 19, Township 43 South, Range 26 East, all lying in Lee County, Florida is hereby located and designated as Item/Segment Number 428917-1, 428917-2, 442027-4, and the line and location of said part of said facility, as reflected in the Right of Way maps, are hereby designated as a part of the State Highway System; and

BE IT FURTHER RESOLVED, that it is the judgment of the Department that the construction of said portion of said Item/Segment Number is necessary, practical and in the best interest of the State; and that the acquisition of such property and property rights as are needed for said construction is necessary for the performance of its duties and for the construction, reconstruction, and maintenance of said state facility for the use of the general public; and that the Department is authorized to make such acquisition by gift, purchase, or condemnation.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

CO By: 
am

District Secretary

ATTEST: 

Executive Secretary

DATE: 8/6/2024

(SEAL)



2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

December 31, 2024

Ms. Tina Ekblad, AICP
Sage Entitlements, LLC
97 Nickajack N.
Santa Rosa Beach, FL 32459

RE: Singletary CPD
DCI2024-00043

Dear Ms. Ekblad:

TR Transportation Consultants, Inc. has reviewed the Traffic Impact Statement (TIS) comments issued by the Lee County Department of Community Development regarding the above project. The comments and TR Transportation's response to those comments are listed below for reference.

Transportation:

1. *The application requests for 210,000 square feet of commercial uses for the project, but the TIS has 110,000 square feet of commercial uses and 100,000 square feet of indoor warehouse uses which the trip generation is much lower than the commercial uses. The applicant needs to change the uses in the application to consist with the uses in the TIS or the TIS is revised*

The application is for a total of 210,000 square feet of uses. Only 110,000 square feet of the floor area can be commercial uses. The remaining 100,000 square feet of floor area will be indoor warehouse/mini-warehouse uses, consistent with the TIS.

2. *The LUC 821 is used for the trip generation of commercial uses, however LUC 820 pass-by is shown in the Table 4.*

Table 4 was simply a typo and was revised in the updated TIS. Everywhere else in the TIS the property Land Use Code was referred to and LUC 821.

3. *Lee County Staff accepts the maximum pass-by rate is 30% for the LUC 821.*

Table 3 in the TIS was revised in the updated TIS to reflect the maximum pass-by rate of 30%, although Lee County has not officially indicated any policy as to the pass-by rates for Land Use Code 821, which is a smaller set of retail uses than Land Use Code 820, which traditionally Lee County limited the pass-by reduction to 30%. Smaller retail centers attract a higher rate of pass-by traffic due to the

nature of the tenants that are typically associated with smaller retail centers. So limiting the pass-by rate to 30% over-estimates the impacts these projects are having on the adjacent roadways based on the proven studies conducted by ITE rather than an arbitrary limitation put on the pass-by rate by the County many years ago.

4. *Since the project's build-out year is 2027, the service volumes in the Table 1A shall be taken from FDOT District 1 Level of Service Spreadsheet, not from FDOT's Multimodal Q/LOS Handbook*

FDOT's District 1 Level of Service Spreadsheets are based on the Multi-Modal Q/LOS Handbook. Table 1A was revised to reflect the Future Context Classification designation, which is what the FDOT Level of Service Spreadsheet utilizes from the Multimodal Q/LOS Handbook for the Level of Service Thresholds. This is reflected in the revised TIS.

5. *The project traffic distributions on Figure 2 and Table 2A are not consistent. The Table 2A shows 70% project's traffic (out bound) goes to south of the site, but the Figure 2 shows only 59% (298 of 509) going to south. Please make a correction.*

The trips shown in **Figure 2** are not the same trips shown on Table 2A. The trips shown in Table 2A are the Net New Trips added to the roadway and have a different trip distribution than the pass-by trips (see **Figures A-1 and A-2**). The volumes from these two Figures are then combined to form Figure 2 so they won't have the same trip distribution as shown on Table 2A. Table 1A and 2A were corrected in the updated TIS as the previous TIS included the gross trip generation in these tables when it should have only been the Net New Trips as shown in Table 4 of the TIS.

6. *The intersection of SR 31/SR 78 is a T-intersection which is without west bound traffic. The intersection LOS analysis shows WBL, WBT, EBT and NBR which does not exist.*

Further explanation was included in the revised TIS. SR 31 is currently under construction and will include the reconstruction of the intersection of SR 78 and SR 31. A copy of the new intersection configuration is included in the Appendix of the previous TIS and is also included in the revised TIS for reference. Until the widening of SR 31 to the south of SR 78 is completed, SR 31 will "tee" into SR 78 from the east, forming a eastern approach and eliminating the northern approach of SR 31. This is reflected in the intersection analysis. The funding for construction of the segment of SR 31 south of SR 78 is beyond the analysis year of this project.



Ms. Tina Ekblad
Singletary CPD
DCI2024-00043
December 31, 2024
Page 3

If you have any additional questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ted B. Treesh', with a long, sweeping horizontal line extending to the right.

Ted B. Treesh
President

Attachments

K:\2024\09 September\19 Singletary Parcel SR 31 Rezoning\Sufficiency\12-31-2024 TIS Sufficiency.doc



2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

SINGLETARY CPD

(PROJECT NO. F2409.19)

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

REVISED:
December 31, 2024



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I. INTRODUCTION

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I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking a rezoning approval. The proposed development is located along the east side of SR 31 approximately ½ of a mile north of the Bayshore Road (SR 78) intersection in Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**.

The approximate 16.8-acre subject site is currently zoned Agricultural (AG-2). The applicant is proposing to rezone the site to Commercial Planned Development (CPD) to permit a development of up to 110,000 square feet of commercial uses and up to 100,000 square feet of indoor self-storage/public warehouse use. The site has two proposed Master Concept Plans. Option 1 is the site in its current configuration and Option 2 depicts the site upon completion of the proposed taking and associated improvements to SR 31. This report analyzes proposed entitlements for Option 1 since the exact timing of taking the property for the SR 31 improvements are unknown and subject to change. Access to the subject site is proposed to SR 31 via a single access connection.

This report examines the impact of the development on the surrounding roadways. Trip generation and assignments to the various site access drives were completed and an analysis conducted to determine the impacts of the development on the surrounding streets.

II. EXISTING CONDITIONS

The subject site is currently occupied by a single-family residence. The overall site is bordered by SR 31 to the west, and by vacant land and residential uses to the south and east and the recently approved Greenwell Mixed Use Planned Development (MPD) to the north.

F2409.19





SR 31 is currently a north/south two-lane undivided arterial the borders the subject site to the west. SR 31 has a posted speed limit of 40 mph and is under the jurisdiction of the Florida Department of Transportation (FDOT). SR 31 has an Access Management Classification of Class 4, which requires a minimum connection spacing of 440 feet between driveway connections and 2,640 feet between signals. Note, SR 31 is currently planned to be widened to a four-lane facility from SR 78 to Cook Brown Road by Babcock Ranch Community Improvement District. The construction for this improvement is scheduled to start in 2025. FDOT is also finalizing a PD & E study on SR 31 from SR 80 to SR 78 as well as on SR 78 from I-75 to SR 31 to evaluate future widening of these roadways to six-lane and four-lane facilities, respectively.

III. PROPOSED DEVELOPMENT

The applicant is proposing to rezone the approximate 16.8-acre site to a Commercial Planned Development (CPD). There are two proposed Master Concept Plans. One Master Concept Plan is for the current 16.8-acre site and includes the development of up to 110,000 square feet of commercial retail and office uses as well as up to 100,000 square feet of indoor self-storage/public warehouse uses. The second Master Concept Plan illustrates the potential impact of the future SR 31 widening and a potential future taking along the frontage of the property. With the reduced size in property, there would be reduced land available for development and much less developable area. The most intense land uses would be developed under the first Master Concept Plan; therefore, those uses were considered in the remainder of this analysis. **Table 1** summarizes the land use utilized for the purposes of this analysis.



Table 1
Land Use
Singletary CPD

Land Use	Permitted
Commercial Retail/Office (LUC 821)	110,000 Sq. Ft.
Mini-Warehouse (LUC 151)	100,000 Sq. Ft.

Access to the subject site is proposed to SR 31 via a single access connection.

IV. TRIP GENERATION

The trip generation for the proposed zoning was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation Manual***, 11th Edition. Land Use Code 821 (Shopping Plaza – 40 - 150k w/Supermarket) was utilized for the trip generation purposes of the proposed commercial uses based on the proposed Schedule of Uses and Land Use Code 151 (Mini-Warehouse) was used for the enclosed self-storage/public warehouse use that is proposed. The trip generation equations utilized from these land uses are attached to the Appendix for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour and daily trip generation of the development as currently proposed.

Table 2
Trip Generation
Singletary CPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Commercial (110,000 Sq. Ft.)	241	147	388	462	501	963	9,878
Mini-Warehouse (100,000 Sq. Ft.)	5	4	9	7	8	15	145
Total Trips	246	151	397	469	509	978	10,023



The trips shown for the proposed commercial uses in Table 2 will not all be new trips added to the adjacent roadway system. ITE estimates that retail uses may attract a significant amount of its traffic from vehicles already traveling on the adjoining roadway system. This traffic, called “pass-by” traffic, reduces the development’s overall impact on the surrounding roadway system but does not decrease the actual driveway volumes. The current version of the ITE *Trip Generation Handbook*, 3rd Edition, indicates that the weekday PM peak hour pass-by rate for Land Use Code 821 is forty (40%) percent. However, the maximum pass-by rate accepted by Lee County for retail uses is 30%. Therefore, a 30% pass-by rate was utilized for the commercial retail uses.

For this analysis, the “pass-by” traffic was accounted for in order to determine the number of “new” trips the development will add to the surrounding roadways. **Table 3** summarizes the “pass-by” percentage of the proposed uses. **Table 4** summarizes the development traffic and the breakdown between the new trips the development is anticipated to generate and the “pass-by” trips the development is anticipated to attract. It should be noted that the driveway volumes are not reduced as a result of the “pass-by” reduction, only the traffic added to the surrounding streets and intersections.

Table 3
Pass-by Trip Reduction Factors
Singletary CPD

Land Use	Percentage Trip Reduction
Shopping Center (LUC 821)	30% A.M. / P.M. & Daily

Table 4
Trip Generation – Net New Trips
Singletary CPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	246	151	397	469	509	978	10,023
Less LUC 821 Pass-by	-58	-58	-116	-144	-144	-288	-2,963
Net New Trips	188	93	281	325	365	690	7,060

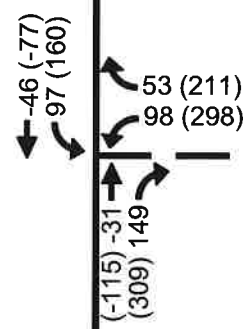


V. TRIP DISTRIBUTION

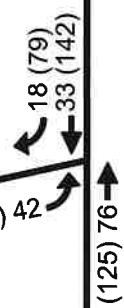
The trips the proposed development is anticipated to generate were then assigned to the surrounding roadway network. The net new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. **Figure A-1**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of the net new project trips. **Figure A-2**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of pass-by trips. **Figure 2** illustrates the resulting assignment of all project related trips (net new + pass-by).

In order to determine which roadway segments surrounding the site may be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, Table 1A, in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service "C" volumes. The Level of Service threshold volumes for State maintained roadways were obtained from FDOT's *2023 Multimodal Quality/Level of Service Handbook* based on the Context Classification of the roadway. Based on Table 1A, SR 31 from the site to SR 80 as well as SR 78 from SR 31 to I-75 are the only roadway segments in the study area projected to be significantly impacted as a result of the proposed development.

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SITE



SR 78

SR 31

LEGEND

- ← 000 WEEKDAY AM PEAK HOUR TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR TRAFFIC

ASSIGNMENT & DISTRIBUTION OF
NET NEW + PASS-BY TRIPS
SINGLETARY CPD



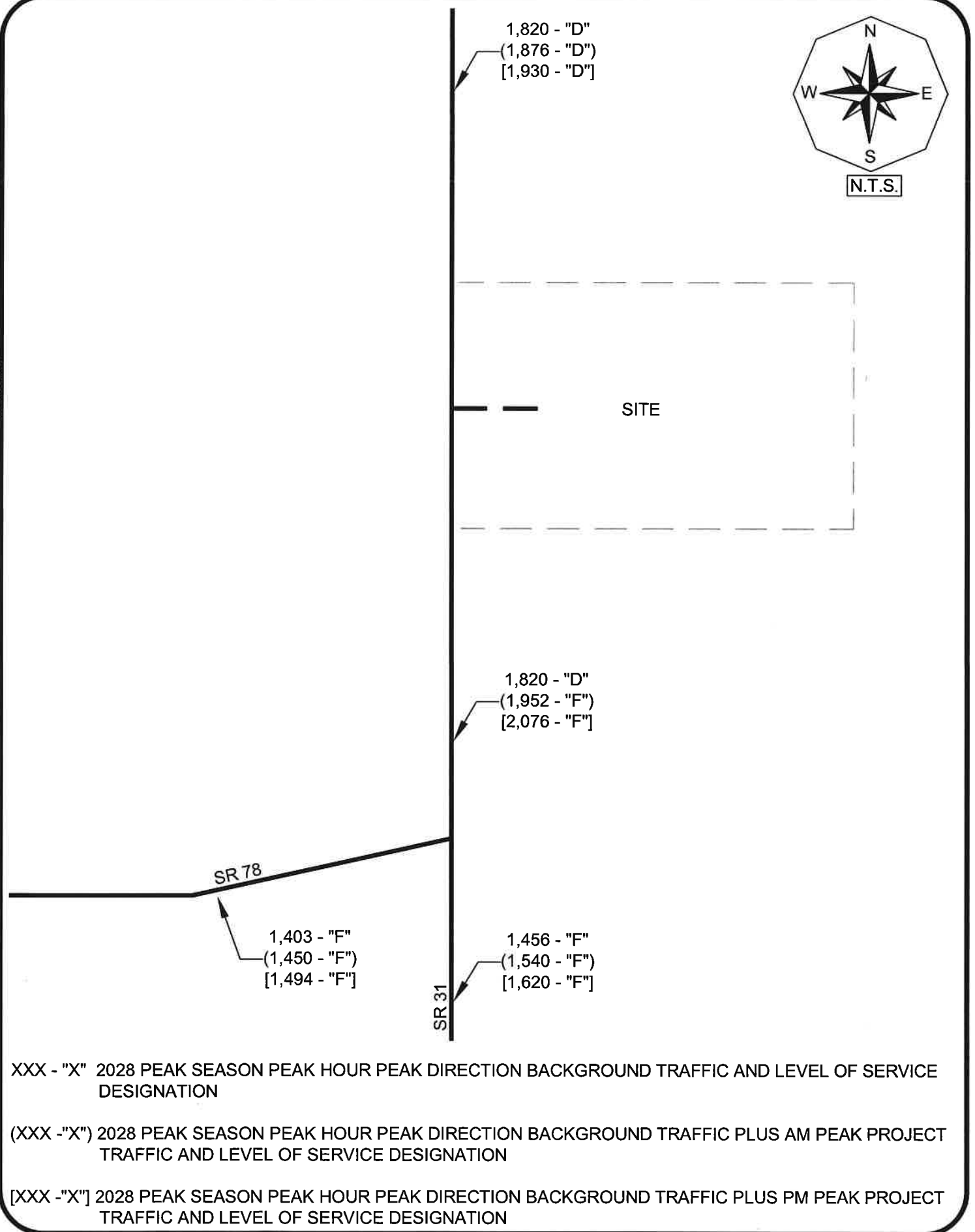
VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2027 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links in the study area. Annual growth rates were formulated based on the historical traffic data obtained from the FDOT's *Florida Traffic Online* webpage. Based on the project distribution illustrated on Figure 2, the link data was analyzed for the year 2027 without the development and year 2027 with the development.

Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2027 build-out traffic volumes as well as the growth rate utilized for each roadway segment. The existing peak hour, peak season, peak direction traffic volumes were taken from the 2023 *Lee County Public Facilities Level of Service and Concurrency Report*.

Figure 3 indicates the year 2027 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. This figure is derived from Table 2A contained in the Appendix.

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2028 LEVEL OF SERVICE ANALYSIS SINGLETARY CPD

Figure 3



VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Adverse impacts are defined as a degradation of the Level of Service beyond the adopted Level of Service Thresholds for those links as indicated in Table 1A. In comparing the links' functional classification and calculated 2027 traffic volumes to the Service Volume Tables, it was determined that all analyzed roadways, except for SR 31 between SR 78 and SR 80, and SR 78 west of SR 31 are projected to operate at or above the minimum adopted Level of Service in 2027 both with and without the proposed development. SR 31 between SR 78 and SR 80 is projected to operate at a poor Level of Service in 2027 with the proposed development traffic added to this roadway.

As previously mentioned FDOT is currently finalizing the PD&E study on SR 31 from SR 78 to SR 80 to evaluate the future widening from the current two-lane undivided facility to a six-lane divided facility. This improvement will address the projected SR 31 capacity deficiency that was shown as part of this analysis. FDOT has funded the Design Build project for the widening of SR 31 from SR 80 to SR 78, including a new bridge over the Caloosahatchee River beginning in the year 2029. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed development. FDOT is also finalizing the PD & E study for the widening of SR 78 between I-75 and SR 31. This corridor has yet to receive funding for construction at the present time.



VIII. INTERSECTION ANALYSIS

Intersection analysis was performed at the proposed site access drive on SR 31 utilizing the latest version of *Highway Capacity Software (HCS®)*. Intersection analysis was also conducted at the signalized intersection of SR 31 with SR 78 utilizing the latest version of the program *SYNCHRO®*. The intersection analysis was based on the projected 2027 weekday AM and PM peak hour traffic conditions both with and without the project traffic. The 2025 peak hour peak season background traffic volumes at the SR 31 and SR 78 intersection were obtained from the attached FDOT's *SR 31 Project Development & Environmental (PD&E) Study*. It should be noted that the intersection of SR 78 and Bayshore Road is changing configuration as part of the SR 31 reconstruction until such time as FDOT can complete the widening of SR 31 from SR 78 across the Caloosahatchee River to SR 80. In the interim condition analyzed as part of this report, SR 31 will "tee" into SR 78 on the east side of the intersection, creating an east leg of the intersection. The existing north leg of SR 31 will be removed. A copy of the PD & E plans illustrating this intersection are included in the Appendix of this report for reference. The intersection analysis conducted as part of this report utilized the volumes and signal timings that were included in the FDOT PD & E study.

The 2025 peak season traffic volumes were then increased by a growth rate factor to determine the projected 2027 background turning movement volumes. **Table 2A** of the Appendix illustrates the methodology utilized to formulate the appropriate annual growth rate on SR 31 and SR 78. The turning volumes projected to be added to the intersection as illustrated on Figure 2 were then added to the 2027 background volumes to estimate the future 2027 traffic volumes with the project. These volumes are based on the data from the spreadsheet contained in the Appendix of this report titled *Development of Future Year Background Turning Volumes*. Note, the intersection analysis at the SR 31 and SR 78 intersection was completed consistent with the signal timings and turn lane distances assumed as part of the *SYNCHRO®* analysis completed for the FDOT's *SR 31 Project Development & Environmental (PD&E) Study*.



The results of the **HCS**® analysis at the proposed site access connection on SR 31 indicate all major movements on SR 31 to operate at an acceptable Level of Service in 2027 AM and PM peak hour conditions with the proposed development traffic added to the intersections.

The results of the **SYNCHRO**® analysis at the signalized intersection of SR 31 with SR 78 indicate the intersection to operate at acceptable Level of Service “D” in 2027 AM peak hour conditions both with and without the proposed development. Under the 2027 PM peak hour conditions, this intersection was shown to operate at Level of Service “D” without the project and at Level of Service “E” with the project traffic. Therefore, no intersection improvements will be warranted as a result of the proposed development. **HCS**® and **SYNCHRO**® summary sheets are attached to the Appendix of this report for reference.

IX. CONCLUSION

The proposed development is located along the east side of SR 31 approximately ½ of a mile north of the Bayshore Road intersection in Lee County, Florida. The proposed rezoning application will permit the 16.8-acre subject site to be developed with up to 110,000 square feet of commercial retail and office uses as well as up to 100,000 square feet of indoor self-storage/public warehouse uses.

The Level of Service analysis conducted as part of this report indicates all analyzed roadways, except for SR 31 between SR 78 and SR 80 and SR 78 west of SR 31, to operate at or above the minimum adopted Level of Service in 2027 both with and without the proposed development. SR 31 between SR 78 and SR 80 is projected to operate at a poor Level of Service in 2027 with the proposed development traffic added to this roadway. However, as previously mentioned FDOT is currently finalizing the PD & E study on SR 31 from SR 78 to SR 80 to evaluate the future widening from the current



two-lane undivided facility to a six-lane divided facility. This future improvement is now funded in the FDOT Work Program for the Year 2029, including the new bridge over the Caloosahatchee River. The future improvements to SR 78 are being addressed in the PD & E being finalized by FDOT in the Spring of 2025 but funding for construction of this project has yet to be identified. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed development.

The results of the intersection analysis at the proposed site access connections on SR 31 indicate all major movements on SR 31 to operate at an acceptable Level of Service in 2027 AM and PM peak hour conditions with the proposed development traffic added to the intersections.

Intersection analysis was also conducted at the off-site signalized intersection of SR 31 with SR 78. Based on the results of the capacity analysis, the intersection was shown to operate at acceptable Level of Service “D” in 2027 AM peak hour conditions both with and without the proposed development. Under the 2027 PM peak hour conditions, this intersection was shown to operate at Level of Service “D” without the project and at Level of Service “E” with the project traffic. This intersection is considered as an off-site intersection for which the impacts are mitigated by the project through the payment of the road impacts fees. Therefore, no intersection improvements will be warranted as a result of the proposed development.

Turn lane improvements at the site access drive intersection will be evaluated at the time the project seeks a local Development Order approval and permit approval from the Florida Department of Transportation.

APPENDIX

TABLE 1A & 2A

TABLE 1A
LEVEL OF SERVICE THRESHOLDS
SINGLETARY CPD

REVISED 12-31-2024

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 281 VPH
TOTAL PM PEAK HOUR PROJECT TRAFFIC = 690 VPH

IN= 188 OUT= 93
IN= 325 OUT= 365

ROADWAY	ROADWAY SEGMENT	# LANES	ROADWAY DESIGNATION CONTEXT CLASSIFICATION	GENERALIZED SERVICE VOLUMES						PERCENT		
				LOS A	LOS B	LOS C	LOS D	LOS E	PROJECT TRAFFIC	PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
				VOLUME	VOLUME	VOLUME	VOLUME	VOLUME				
SR 31	N. of Site	4LD	Arterial - C3R	0	0	1,785	1,942	1,942	30%	110	6.1%	
	S. of Site	4LD	Arterial - C3R	0	1,753	1,785	1,942	1,942	70%	256	14.3%	
	S. of SR 78	2LU	Arterial - C3C	0	0	838	767	1,180	45%	164	19.6%	
SR 78 (Bayshore Rd)	W. of SR 31	2LU	Arterial - C3R	0	0	1,070	1,224	1,224	25%	91	8.5%	
	W. of Nelle Rd	2LU	Arterial - C3R	0	0	1,070	1,224	1,224	20%	73	6.8%	
	W. of I-75	4LD	Arterial - C3R	0	0	1,874	2,040	2,040	20%	73	3.9%	
SR 80 (Palm Beach Blvd)	W. of SR 31	6LD	Arterial - C3C	0	0	2,600	2,955	2,955	20%	73	2.8%	
	E. of SR 31	4LD	Arterial - C3C	0	0	1,675	1,995	1,995	25%	91	5.4%	

- Denotes the LOS Standard for each roadway segment

* Level of Service Thresholds for Lee County arterials/collectors taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)
* Level of Service Thresholds for State maintained roadways were taken from FDOT's Multimodal Q/LOS Manual Peak Hour Directional Volumes based on Context Classification

ITE TRIP GENERATION REPORT
PASS-BY TRIP DATA
LUC 821

**LEE COUNTY PUBLIC FACILITIES
LEVEL OF SERVICE AND
CONCURRENCY REPORT**

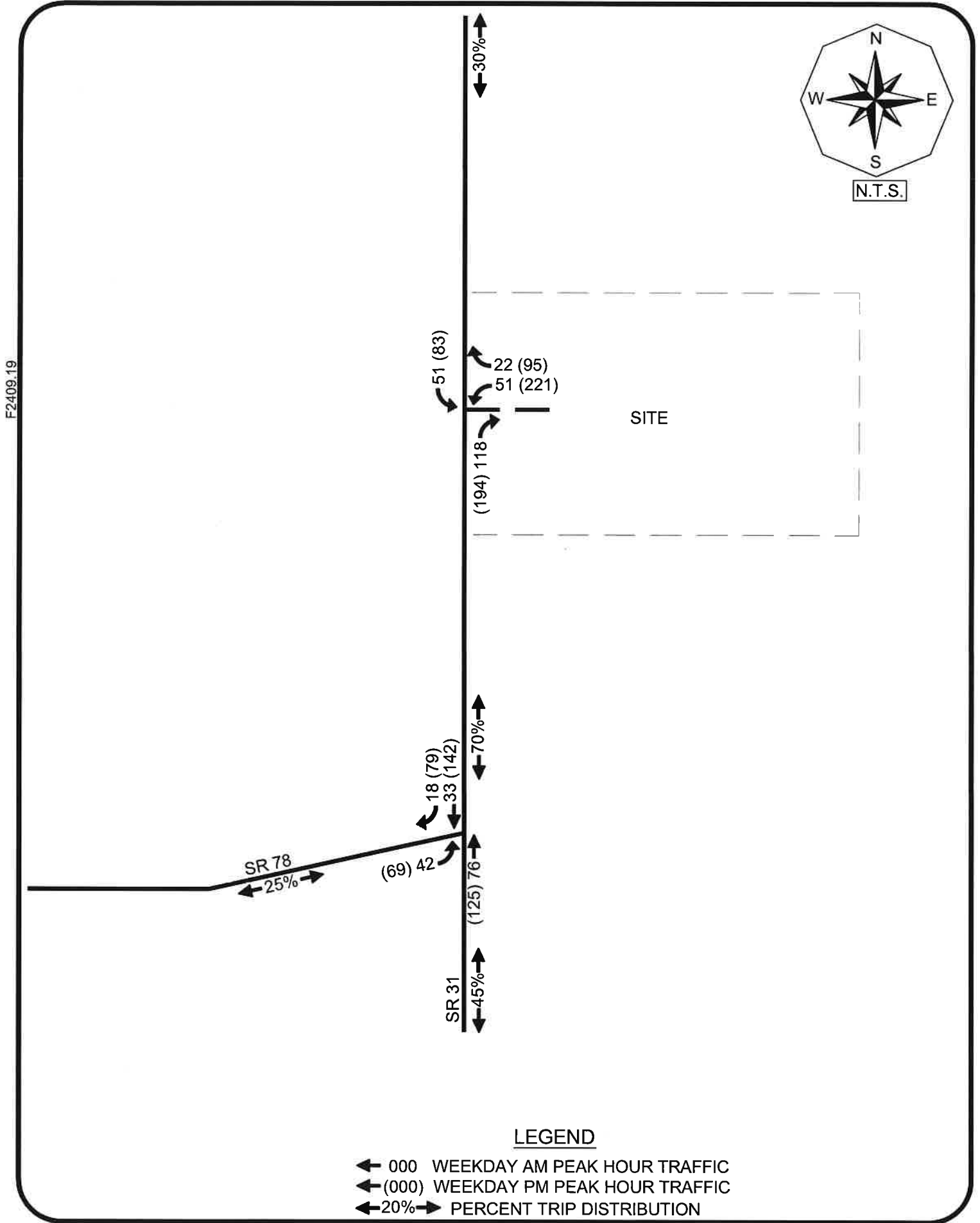
LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)

Link No.	ROAD NAME	LOCATION		ROAD TYPE	PERFORMANCE STANDARD		2022 100TH HIGHEST HOUR			2027 FUTURE FORECAST			Notes
		FROM	TO		LOS ⁽¹⁾	CAPACITY ⁽²⁾	LOS ⁽¹⁾	VOLUME ⁽²⁾	V/C ⁽³⁾	LOS ⁽¹⁾	VOLUME ⁽²⁾	V/C ⁽³⁾	
19400	ORANGE RIVER BLVD	STALEY RD	BUCKINGHAM RD	2LN	E	1,000	C	381	0.38	C	400	0.40	
19500	ORIOLE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	C	130	0.15	C	137	0.16	
19600	ORTIZ AVE	COLONIAL BLVD	SR 82	2LN	E	900	F	1,056	1.17	F	1,110	1.23	City of Fort Myers
19700	ORTIZ AVE	SR 82	LUCKETT RD	2LN	E	900	E	897	1.00	F	943	1.05	partially located in City of Fort Myers
19800	ORTIZ AVE	LUCKETT RD	SR 80	2LN	E	900	B	374	0.42	B	393	0.44	
19900	PALM BEACH BLVD (SR 80)	PROSPECT AVE	ORTIZ AVE	4LD	D	1,900	C	1,278	0.67	C	1,343	0.71	
20000	PALM BEACH BLVD (SR 80)	ORTIZ AVE	I-75	6LD	D	2,814	C	1,426	0.51	C	1,499	0.53	
20100	PALM BEACH BLVD (SR 80)	I-75	SR 31	6LD	D	2,814	C	1,618	0.57	C	1,701	0.60	
20200	PALM BEACH BLVD (SR 80)	SR 31	BUCKINGHAM RD	4LD	D	1,900	F	2,204	1.16	F	2,316	1.22	
20300	PALM BEACH BLVD (SR 80)	BUCKINGHAM RD	WERNER DR	4LD	D	1,942	C	1,547	0.80	C	1,724	0.89	River Hall Country Club Phase II
20330	PALM BEACH BLVD (SR 80)	WERNER DR	JOEL BLVD	4LD	C	1,785	C	1,336	0.75	C	1,404	0.79	
20400	PALM BEACH BLVD (SR 80)	JOEL BLVD	HENDRY CO. LINE	4LD	C	1,785	C	1,138	0.64	C	1,196	0.67	
20500	PALOMINO LN	DANIELS PKWY	PENZANCE BLVD	2LN	E	860	C	352	0.41	C	414	0.48	The Springs at Daniels Road
20600	PARK MEADOWS DR	SUMMERLIN RD	US 41	2LN	E	860	C	194	0.23	C	204	0.24	
20800	PENZANCE BLVD	RANCHETTE RD	SIX MILE PKWY	2LN	E	860	C	151	0.18	C	174	0.20	
20900	PINE ISLAND RD	STRINGFELLOW RD	BURNT STORE RD	2LN	E	950	E	661	0.70	E	707	0.74	constrained
21400	PINE ISLAND RD (SR 78)	CITY LIMITS E OF BARRETT RD	US 41	4LD	D	1,900	D	1,823	0.96	F	1,916	1.01	
21500	PINE ISLAND RD (SR 78)	US 41	BUS 41	4LD	D	1,900	C	1,555	0.82	D	1,634	0.86	
21600	PINE RIDGE RD	SAN CARLOS BLVD	SUMMERLIN RD	2LN	E	860	C	535	0.62	D	566	0.66	(4)
21700	PINE RIDGE RD	SUMMERLIN RD	GLADIOLUS DR	2LN	E	860	C	256	0.30	C	396	0.46	(4); Heritage Isles
21800	PINE RIDGE RD	GLADIOLUS DR	MCGREGOR BLVD	2LN	E	860	C	256	0.30	C	269	0.31	
21900	PLANTATION RD	SIX MILE PKWY	DANIELS PKWY	2LN	E	860	C	342	0.40	C	359	0.42	
22000	PLANTATION RD	DANIELS PKWY	IDLEWILD ST	2LN	E	860	D	702	0.82	D	737	0.86	
22050	PLANTATION RD	IDLEWILD ST	COLONIAL BLVD	4LN	E	1,790	C	726	0.41	C	763	0.43	
22100	PONDELLA RD	SR 78	ORANGE GROVE BLVD	4LD	E	1,890	E	954	0.50	E	1,003	0.53	(4)
22200	PONDELLA RD	ORANGE GROVE BLVD	US 41	4LD	E	1,890	E	1,397	0.74	E	1,469	0.78	
22300	PONDELLA RD	US 41	BUS 41	4LD	E	1,890	E	1,021	0.54	E	1,073	0.57	
22400	PRITCHETT PKWY	SR 78	RICH RD	2LN	E	860	C	78	0.09	D	664	0.77	Stoneybrook North
22500	RANCHETTE RD	PENZANCE BLVD	IDLEWILD ST	2LN	E	860	C	105	0.12	C	110	0.13	
22600	RICH RD	SLATER RD	PRITCHETT PKWY	2LN	E	860	C	62	0.07	C	65	0.08	
22700	RICHMOND AVE	LEELAND HEIGHTS	E 12TH ST	2LN	E	860	C	107	0.12	C	127	0.15	pre-development order res development
22800	RICHMOND AVE	E 12TH ST	GREENBRIAR BLVD	2LN	E	860	C	107	0.12	C	112	0.13	
23230	SAN CARLOS BLVD	US 41	THREE OAKS PKWY	2LN	E	860	C	406	0.47	C	427	0.50	(4)
23000	SAN CARLOS BLVD (SR 865)	MANTANZAS PASS BRIDGE	MAIN ST	2LD	D	1,900	C	1,063	0.56	C	1,117	0.59	constrained
23100	SAN CARLOS BLVD (SR 865)	MAIN ST	SUMMERLIN RD	4LD	D	1,900	C	1,063	0.56	C	1,117	0.59	
23180	SAN CARLOS BLVD (SR 865)	SUMMERLIN RD	KELLY RD	2LD	D	1,180	C	730	0.62	C	767	0.65	
23200	SAN CARLOS BLVD (SR 865)	KELLY RD	GLADIOLUS DR	4LD	D	1,180	C	730	0.62	C	767	0.65	
23260	SANIBEL BLVD	US 41	LEE RD	2LN	E	860	C	496	0.58	C	521	0.61	
23300	SANIBEL CAUSEWAY	SANIBEL SHORELINE	TOLL PLAZA	2LN	E	1,140	E	1,035	0.91	E	1,088	0.95	
23400	SHELL POINT BLVD	MCGREGOR BLVD	PALM ACRES	2LN	E	860	C	243	0.28	C	255	0.30	(4)
23500	SIX MILE PKWY (SR 739)	US 41	METRO PKWY	4LD	D	1,900	D	1,897	1.00	F	1,994	1.05	
23600	SIX MILE CYPRESS	METRO PKWY	DANIELS PKWY	4LD	E	2,000	B	1,549	0.77	B	1,628	0.81	unincorporated Lee County
23700	SIX MILE CYPRESS	DANIELS PKWY	WINKLER EXT.	4LD	E	1,900	E	1,205	0.63	E	1,362	0.72	unincorporated Lee Co; Cr Mnr RPD/Ok Vill RPD
23800	SIX MILE CYPRESS	WINKLER EXT.	CHALLENGER BLVD	4LD	E	1,900	E	1,136	0.60	E	1,194	0.63	Incorporated Lee County
23900	SIX MILE CYPRESS	CHALLENGER BLVD	COLONIAL BLVD	6LD	E	2,860	B	1,136	0.40	B	1,194	0.42	Incorporated Lee County
24000	SLATER RD	SR 78	NALLE GRADE RD	2LN	E	1,010	C	365	0.36	C	384	0.38	(4)
24100	SOUTH POINTE BLVD	CYPRESS LAKE DR	COLLEGE PKWY	2LD	E	910	D	631	0.69	D	663	0.73	(4)
24200	SR 31 (ARCADIA RD)	SR 80	SR 78	2LN	D	766	F	778	1.02	F	818	1.07	

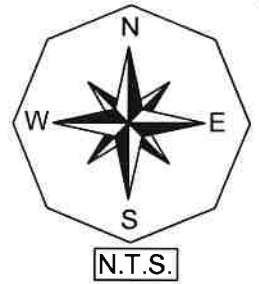
LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)

Link No.	ROAD NAME	LOCATION		ROAD TYPE	PERFORMANCE STANDARD		2022 100TH HIGHEST HOUR			2027 FUTURE FORECAST			Notes
		FROM	TO		LOS ⁽¹⁾	CAPACITY ⁽²⁾	LOS ⁽¹⁾	VOLUME ⁽²⁾	V/C ⁽³⁾	LOS ⁽¹⁾	VOLUME ⁽²⁾	V/C ⁽³⁾	
00100	A & W BULB RD	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	C	365	0.42	C	384	0.45	
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	262	0.26	C	275	0.28	
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	D	515	0.52	D	542	0.55	
00400	ALEXANDER BELL BLVD	SR 82	MILWAUKEE BLVD	2LN	E	990	D	555	0.56	D	583	0.59	
00500	ALEXANDER BELL BLVD	MILWAUKEE BLVD	LEELAND HEIGHTS	2LN	E	990	D	555	0.56	D	649	0.66	pre-development order res development
00590	ALICO RD	US 41	DUSTY RD	4LD	E	1,980	B	1,166	0.59	B	1,225	0.62	
00600	ALICO RD	DUSTY RD	LEE RD	6LD	E	2,960	B	1,166	0.39	B	1,261	0.43	
00700	ALICO RD	LEE RD	THREE OAKS PKWY	6LD	E	2,960	B	1,166	0.39	B	1,533	0.52	Three Oaks Distribution Center
00800	ALICO RD	THREE OAKS PKWY	I-75	6LD	E	2,960	B	2,618	0.88	B	2,752	0.93	⁽⁴⁾
00900	ALICO RD	I-75	BEN HILL GRIFFIN BLVD	6LD	E	2,960	B	1,448	0.49	B	1,533	0.52	⁽⁴⁾
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	2LN/4LN	E	1,100	C	406	0.37	D	660	0.60	⁽⁴⁾⁽⁵⁾ ; unincorporated Lee Co; Ctr Pl/Prm Aprt Pk
01050	ALICO RD	GREEN MEADOW DR	CORKSCREW RD	2LN	E	1,100	B	256	0.23	B	269	0.24	⁽⁴⁾
01200	BABCOCK RD	US 41	ROCKEFELLER CIR	2LN	E	860	C	60	0.07	C	65	0.08	
01400	BARRETT RD	PONDELLA RD	PINE ISLAND RD (US 78)	2LN	E	860	C	152	0.18	C	160	0.19	
01500	BASS RD	SUMMERLIN RD	GLADIOLUS DR	4LN	E	1,790	C	712	0.40	C	766	0.43	
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	4LD	D	1,942	D	1,920	0.99	F	2,018	1.04	
01700	BAYSHORE RD (SR 78)	HART RD	SLATER RD	4LD	D	1,942	F	1,944	1.00	F	2,043	1.05	
01800	BAYSHORE RD (SR 78)	SLATER RD	I-75	4LD	D	2,910	B	1,215	0.42	B	1,294	0.44	
01900	BAYSHORE RD (SR 78)	I-75	NALLE RD	2LN	D	1,166	C	776	0.67	C	816	0.70	
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	2LN	D	1,166	C	776	0.67	C	816	0.70	
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FGCU ENTRANCE	4LD	E	2,000	E	1,524	0.76	E	1,615	0.81	
02200	BEN HILL GRIFFIN PKWY	FGCU BOULEVARD S	COLLEGE CLUB DR	4LD	E	2,000	E	1,524	0.76	E	1,602	0.80	
02250	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	6LD	E	3,000	A	1,136	0.38	A	1,221	0.41	
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	4LD	E	1,980	A	1,136	0.57	A	1,195	0.60	unincorporated Lee County
02300	BETH STACEY BLVD	23RD ST	HOMESTEAD RD	2LN	E	860	C	336	0.39	C	529	0.62	Classic Hills (Copperhead) Golf Community
02400	BONITA BEACH RD	HICKORY BLVD	VANDERBILT DR	4LD	E	1,900	E	803	0.42	E	844	0.44	⁽⁴⁾ ; constrained in city plan
02500	BONITA BEACH RD	VANDERBILT DR	US 41	4LD	E	1,900	E	1,417	0.75	E	1,489	0.78	constrained in city plan
02600	BONITA BEACH RD	US 41	OLD 41	4LD	E	1,860	E	1,456	0.78	E	1,530	0.82	constrained; old count projection (2010)
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	6LD	E	2,800	E	1,921	0.69	E	2,019	0.72	constrained in city plan
02800	BONITA BEACH RD	IMPERIAL ST	W OF I-75	6LD	E	2,800	E	2,139	0.76	E	2,248	0.80	constrained in city plan
02900	BONITA BEACH RD	E OF I-75	BONITA GRAND DR	4LD	E	2,020	A	655	0.32	A	688	0.34	constrained in city plan
02950	BONITA BEACH RD	BONITA GRANDE DR	Logan Boulevard	4LD	E	2,020	A	655	0.32	A	688	0.34	constrained in city plan
03100	BONITA GRANDE DR	BONITA BEACH RD	E TERRY ST	2LN	E	860	D	695	0.81	D	730	0.85	
03200	BOYSCOUT RD	SUMMERLIN RD	US 41	6LN	E	2,520	E	1,798	0.71	E	1,890	0.75	
03300	BRANTLEY RD	SUMMERLIN RD	US 41	2LN	E	860	C	271	0.32	C	285	0.33	
03400	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	2LN	E	860	C	158	0.18	C	166	0.19	
03500	BROADWAY RD (ALVA)	SR 80	North RIVER RD	2LN	E	860	C	262	0.30	C	275	0.32	
03700	BUCKINGHAM RD	SR 82	GUNNERY RD	2LN	E	990	D	487	0.49	D	511	0.52	
03730	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	2LN	E	990	C	358	0.36	C	392	0.40	
03800	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	2LN	E	990	E	678	0.68	E	877	0.89	Fortico RPD
03900	BURNT STORE RD	SR 78	VAN BUREN PKWY	4LD	E	2,950	A	851	0.29	B	894	0.30	City of Cape Coral
04000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	2LN	E	1,140	C	571	0.50	C	600	0.53	partially located in City of Cape Coral
04200	BUS 41 (N TAMIAMI TR, SR 739)	CITY LIMITS (N END EDISON BRG)	PONDELLA RD	6LD	D	2,810	C	2,158	0.77	D	2,268	0.81	
04300	BUS 41 (N TAMIAMI TR, SR 739)	PONDELLA RD	SR 78	6LD	D	2,694	C	1,494	0.55	C	1,570	0.58	
04400	BUS 41 (N TAMIAMI TR, SR 739)	SR 78	LITTLETON RD	4LD	D	1,900	C	1,186	0.62	C	1,246	0.66	
04500	BUS 41 (N TAMIAMI TR, SR 739)	LITTLETON RD	US 41	4LD	D	1,900	C	617	0.32	C	648	0.34	
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	McGREGOR BLVD	4LB	E	4,000	D	3,097	0.77	D	3,255	0.81	
04700	CAPTIVA DR	BLIND PASS	SOUTH SEAS PLANTATION RD	2LN	E	860	F	1,069	1.24	F	1,124	1.31	constrained

SUPPLEMENTAL FIGURES A-1 & A-2



F2409.19



-46 (-77)
 46 (77)
 31 (116)
 47 (77)
 (-115) -31
 (115) 31

SITE

SR 78

SR 31

(60%) 40%

LEGEND

- ← 000 WEEKDAY AM PEAK HOUR TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR TRAFFIC
- ← 20% ONE-WAY AM TRIP DISTRIBUTION
- ← (20%) ONE-WAY PM TRIP DISTRIBUTION

**FDOT MULTIMODAL
QUALITY/LEVEL OF SERVICE
HANDBOOK GENERALIZED SERVICE
VOLUME TABLES**

C3C & C3R

Motor Vehicle Arterial Generalized Service Volume Tables

Peak Hour Directional

	B	C	D	E
1 Lane	*	760	1,070	**
2 Lane	*	1,520	1,810	**
3 Lane	*	2,360	2,680	**
4 Lane	*	3,170	3,180	**

Peak Hour Two-Way

	B	C	D	E
2 Lane	*	1,380	1,950	**
4 Lane	*	2,760	3,290	**
6 Lane	*	4,290	4,870	**
8 Lane	*	5,760	5,780	**

AADT

	B	C	D	E
2 Lane	*	15,300	21,700	**
4 Lane	*	30,700	36,600	**
6 Lane	*	47,700	54,100	**
8 Lane	*	64,000	64,200	**



	B	C	D	E
1 Lane	*	970	1,110	**
2 Lane	*	1,700	1,850	**
3 Lane	*	2,620	2,730	**

	B	C	D	E
2 Lane	*	1,760	2,020	**
4 Lane	*	3,090	3,360	**
6 Lane	*	4,760	4,960	**

	B	C	D	E
2 Lane	*	19,600	22,400	**
4 Lane	*	34,300	37,300	**
6 Lane	*	52,900	55,100	**

Adjustment Factors

The peak hour directional service volumes should be adjusted by multiplying by 1.2 for one-way facilities
The AADT service volumes should be adjusted by multiplying 0.6 for one way facilities 2 Lane Divided
Roadway with an Exclusive Left Turn Lane(s): Multiply by 1.05
2 lane Undivided Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.80

Exclusive right turn lane(s): Multiply by 1.05
Multilane Undivided Roadway with an Exclusive Left Turn Lane(s): Multiply by 0.95
Multilane Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.75
Non-State Signalized Roadway: Multiply by 0.90

This table does not constitute a standard and should be used only for general planning applications. The table should not be used for corridor or intersection design, where more refined techniques exist.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached.

**TRAFFIC DATA FROM FDOT
FLORIDA TRAFFIC ONLINE**

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2023 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0273 - SR-31, 202' NORTH OF FOXHILL ROAD, LEE CO.

YEAR	AADT		DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
2023	14878	C	N	7392	S	7486	9.50	52.10	19.10
2022	12799	C	N	6265	S	6534	9.50	52.10	19.90
2021	11660	C	N	5695	S	5965	9.50	52.30	21.20
2020	9182	C	N	4508	S	4674	9.50	52.70	23.40
2019	9292	C	N	4645	S	4647	9.50	52.10	25.30
2018	7959	C	N	4032	S	3927	9.50	54.10	26.90
2017	7337	C	N	3712	S	3625	9.50	53.40	28.20
2016	6620	C	N	3338	S	3282	9.50	53.90	26.60
2015	5216	C	N	2618	S	2598	9.50	55.60	28.00
2014	4653	C	N	2325	S	2328	9.50	55.60	27.00
2013	4195	C	N	2099	S	2096	9.50	55.90	29.00
2012	4217	C	N	2149	S	2068	9.50	56.40	26.90
2011	4126	C	N	2094	S	2032	9.50	55.10	25.60
2010	4034	C	N	2041	S	1993	9.79	54.46	26.00
2009	3964	C	N	1994	S	1970	9.81	52.26	25.10
2008	4232	C	N	2124	S	2108	9.88	55.53	23.50

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN

*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2023 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 1001 - SR 31, SOUTH OF CR 78/NORTH RIVER ROAD (LC393)

YEAR	AADT		DIRECTION 1		DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
-----	-----		-----		-----	-----	-----	-----
2023	19800 C	N	9800	S	10000	9.50	56.80	23.00
2022	17800 C	N	8800	S	9000	9.50	52.10	25.40
2021	16000 C	N	8000	S	8000	9.50	52.80	23.30
2020	11000 C	N	5500	S	5500	9.50	53.70	23.40
2019	11000 C	N	5500	S	5500	9.50	54.00	25.30
2018	9400 C	N	4700	S	4700	9.50	55.20	26.90
2017	8800 C	N	4500	S	4300	9.50	54.40	20.20
2016	8600 F	N	4200	S	4400	9.50	57.70	20.20
2015	7800 C	N	3800	S	4000	9.50	57.50	20.20
2014	7200 F	N	3600	S	3600	9.50	56.80	20.50
2013	7000 C	N	3500	S	3500	9.50	56.50	20.50
2012	7500 C	N	3800	S	3700	9.50	54.20	22.60
2011	7300 F	N	3700	S	3600	9.50	56.20	17.60
2010	7300 C	N	3700	S	3600	9.91	56.34	17.60
2009	7100 C	N	3600	S	3500	9.98	55.90	19.70
2008	7700 C	N	3900	S	3800	10.16	57.01	23.50

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2023 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0030 - SR 31, NORTH OF SR 80/PALM BEACH BOULEVARD LC391

YEAR	AADT		DIRECTION 1		DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	18900 F	N	9000	S	9900	9.00	56.80	21.90
2022	16600 C	N	7900	S	8700	9.00	52.10	21.90
2021	15900 C	N	7900	S	8000	9.00	52.80	14.20
2020	13800 C	N	6600	S	7200	9.00	53.70	17.80
2019	13500 C	N	6600	S	6900	9.00	54.00	20.80
2018	11500 C	N	5600	S	5900	9.00	55.20	18.60
2017	11200 C	N	5500	S	5700	9.00	54.40	19.00
2016	11100 F	N	5500	S	5600	9.00	57.70	12.50
2015	10100 C	N	5000	S	5100	9.00	57.50	12.50
2014	8700 F	N	4300	S	4400	9.00	56.80	14.90
2013	8500 C	N	4200	S	4300	9.00	56.50	14.90
2012	8700 C	N	4400	S	4300	9.00	54.20	13.80
2011	8500 F	N	4200	S	4300	9.00	56.20	13.70
2010	8500 C	N	4200	S	4300	9.91	56.34	13.70
2009	7800 C	N	3800	S	4000	9.98	55.90	13.40
2008	8500 C	N	4200	S	4300	10.16	57.01	12.80

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2023 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 1002 - SR 78/BAYSHORE ROAD, SOUTHWEST OF SR 31

YEAR	AADT		DIRECTION 1		DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
----	-----		-----		-----	-----	-----	-----
2023	13200 C	E	6900	W	6300	9.00	56.80	25.40
2022	13600 F	E	7000	W	6600	9.00	52.10	21.80
2021	12400 C	E	6400	W	6000	9.00	52.80	21.80
2020	11000 C	E	5700	W	5300	9.00	53.70	18.90
2019	10600 C	E	5500	W	5100	9.00	54.00	22.00
2018	9600 C	E	5000	W	4600	9.00	55.20	21.60
2017	9200 C	E	4600	W	4600	9.00	54.40	13.00
2016	8600 F	E	4300	W	4300	9.00	57.70	13.00
2015	7800 C	E	3900	W	3900	9.00	57.50	13.00
2014	7300 F	E	3700	W	3600	9.00	56.80	14.00
2013	7100 C	E	3600	W	3500	9.00	56.50	14.00
2012	7500 C	E	3800	W	3700	9.00	54.20	16.40
2011	6800 F	E	3500	W	3300	9.00	56.20	14.90
2010	6800 C	E	3500	W	3300	9.91	56.34	14.90
2009	6900 C	E	3500	W	3400	9.98	55.90	17.00
2008	7500 C	E	3800	W	3700	10.16	57.01	19.30

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE

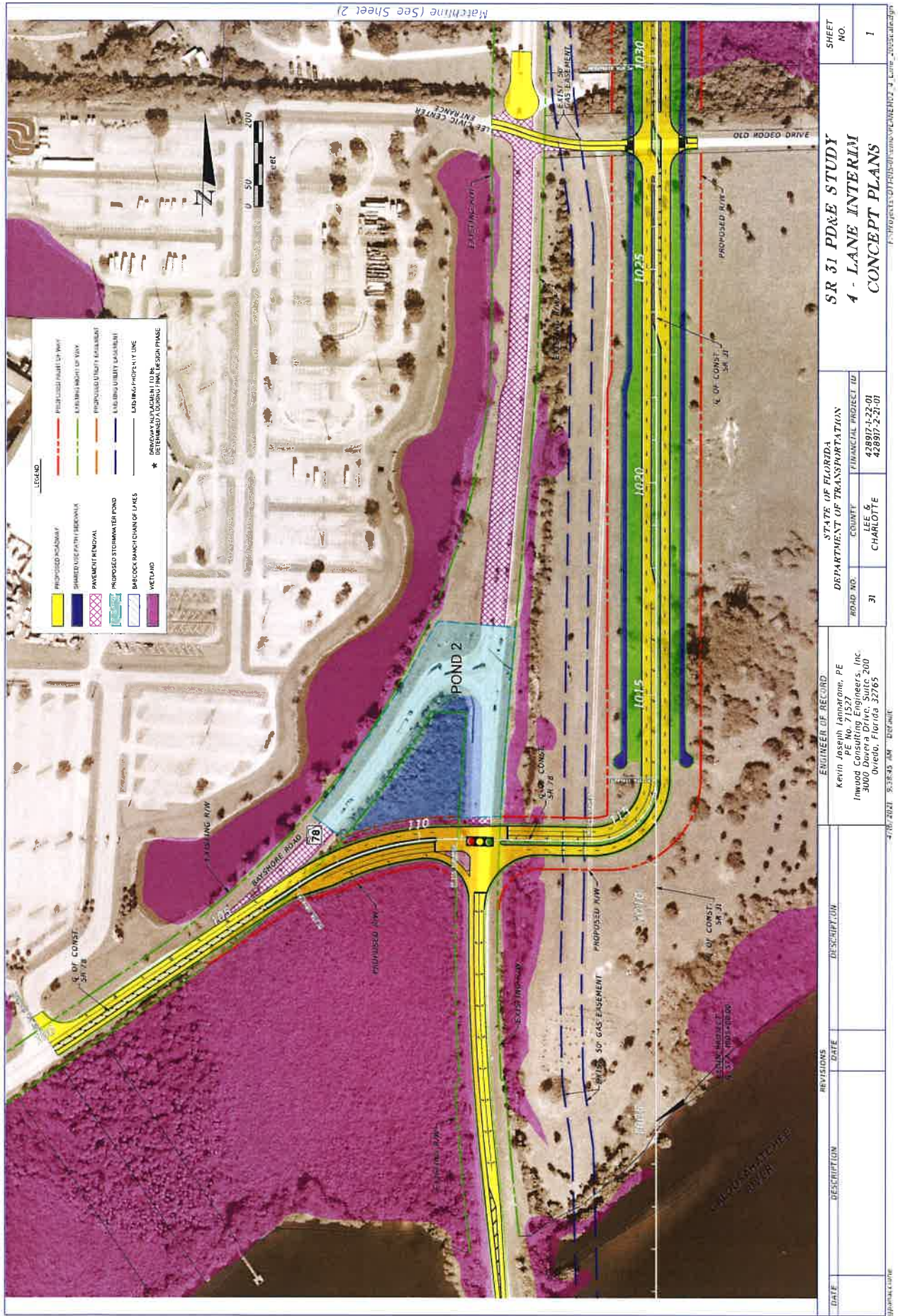
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN

*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FDOT SR 31 PD&E STUDY

CONCEPT PLAN





**TRAFFIC DATA FROM
FDOT SR 31 PD&E STUDY**

Preliminary Engineering Report

**Florida Department of Transportation (FDOT)
District One**

SR 31 Project Development & Environment (PD&E) Study

**From State Road 78 (Bayshore Road) to County Road 78 (North River Road)
and from County Road 78 (North River Road) to Cook Brown Road
Lee and Charlotte Counties, Florida**

Financial Project ID Numbers: 428917-1-22-01 & 428917-2-21-01

ETDM Numbers: 9791 & 9651

May 2021

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

Figure 7-1
Initial (Interim) Improvement Geometry

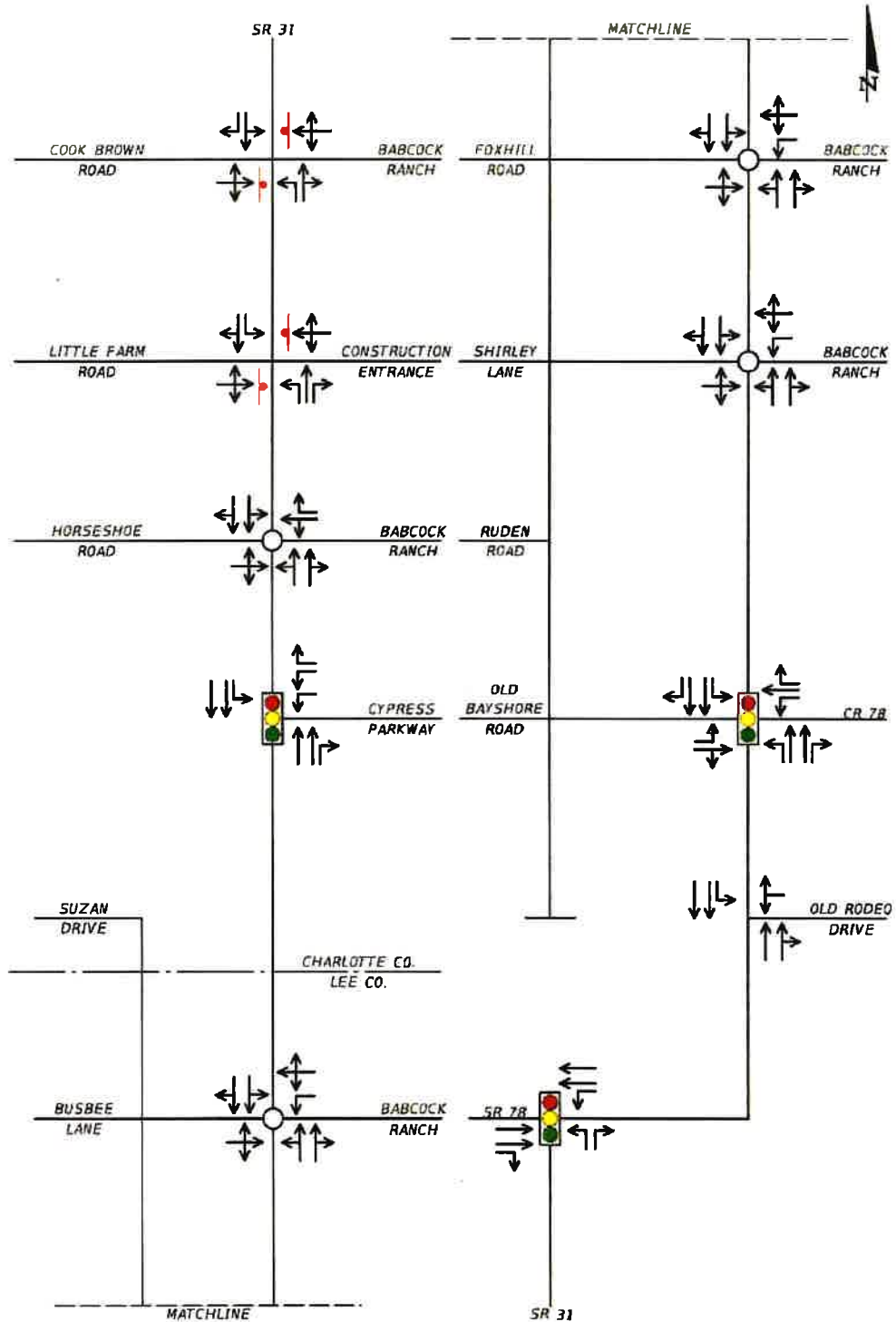
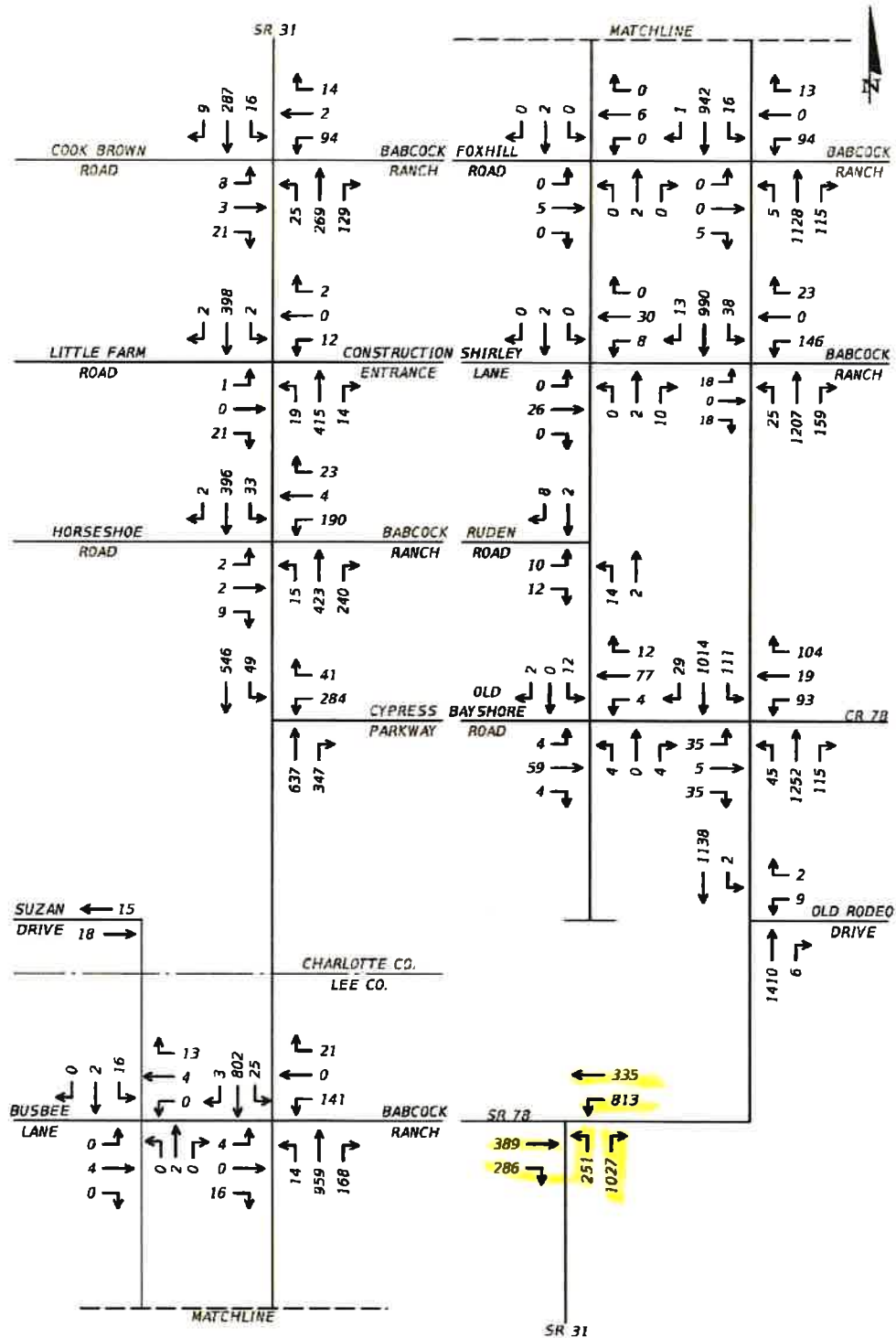




Figure 3-5
Opening Year (2025) PM Peak Hour Volumes



Lanes, Volumes, Timings

17: SR 31 & SR 78

11/06/2020

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations	↑↑	↑	↓	↑↑	↓	↑	
Traffic Volume (vph)	342	237	995	393	244	795	
Future Volume (vph)	342	237	995	393	244	795	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Lane Width (ft)	12	12	12	12	12	12	
Grade (%)	0%			0%	0%		
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Ped Bike Factor							
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3112	1553	1656	3223	1719	1509	
Flt Permitted			0.236		0.950		
Satd. Flow (perm)	3112	1553	411	3223	1719	1509	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		118				32	
Link Speed (mph)	30			30	30		
Link Distance (ft)	1133			1537	1223		
Travel Time (s)	25.8			34.9	27.8		
Confl. Peds. (#/hr)							
Confl. Bikes (#/hr)							
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	
Growth Factor	100%	100%	100%	100%	100%	100%	
Heavy Vehicles (%)	16%	4%	9%	12%	5%	7%	
Bus Blockages (#/hr)	0	0	0	0	0	0	
Parking (#/hr)							
Mid-Block Traffic (%)	0%			0%	0%		
Adj. Flow (vph)	360	249	1047	414	257	837	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	360	249	1047	414	257	837	
Enter Blocked Intersection	No	No	No	No	No	No	
Lane Alignment	Left	Right	Left	Left	Left	Right	
Median Width(ft)	22			22	22		
Link Offset(ft)	0			0	0		
Crosswalk Width(ft)	16			16	16		
Two way Left Turn Lane							
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	
Turning Speed (mph)		9	15		15	9	
Number of Detectors	2	1	1	2	1	1	
Detector Template	Thru	Right	Left	Thru	Left	Right	
Leading Detector (ft)	100	20	20	100	20	20	
Trailing Detector (ft)	0	0	0	0	0	0	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							

Lanes, Volumes, Timings
17: SR 31 & SR 78

11/06/2020

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0	24.0
Total Split (s)	24.0	25.0	81.0	105.0	25.0	25.0
Total Split (%)	18.5%	19.2%	62.3%	80.8%	19.2%	19%
Maximum Green (s)	18.0	19.0	75.0	99.0	19.0	19.0
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5	1.5
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0	6.0
Lead/Lag	Lag		Lead			
Lead-Lag Optimize?	Yes		Yes			
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0
Minimum Gap (s)	3.0	3.0	3.0	3.0	3.0	3.0
Time Before Reduce (s)	0.0	0.0	0.0	0.0	0.0	0.0
Time To Reduce (s)	0.0	0.0	0.0	0.0	0.0	0.0
Recall Mode	None	Max	None	None	Max	Max
Walk Time (s)						
Flash Dont Walk (s)						
Pedestrian Calls (#/hr)						
Act Effct Green (s)	17.5	42.5	98.5	98.5	19.0	100.0
Actuated g/C Ratio	0.14	0.33	0.76	0.76	0.15	0.77
v/c Ratio	0.86	0.42	1.01	0.17	1.02	0.71
Control Delay	74.9	19.6	53.4	4.4	116.1	11.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	74.9	19.6	53.4	4.4	116.1	11.5
LOS	E	B	D	A	F	B
Approach Delay	52.3			39.5	36.0	
Approach LOS	D			D	D	
90th %ile Green (s)	18.0	19.0	75.0	99.0	19.0	19.0
90th %ile Term Code	Max	MaxR	Max	Hold	MaxR	MaxR
70th %ile Green (s)	18.0	19.0	75.0	99.0	19.0	19.0
70th %ile Term Code	Max	MaxR	Max	Hold	MaxR	MaxR
50th %ile Green (s)	18.0	19.0	75.0	99.0	19.0	19.0
50th %ile Term Code	Max	MaxR	Max	Hold	MaxR	MaxR
30th %ile Green (s)	18.0	19.0	75.0	99.0	19.0	19.0
30th %ile Term Code	Max	MaxR	Max	Hold	MaxR	MaxR
10th %ile Green (s)	15.3	19.0	75.0	96.3	19.0	19.0
10th %ile Term Code	Gap	MaxR	Max	Hold	MaxR	MaxR
Stops (vph)	318	96	755	99	209	381
Fuel Used(gal)	10	4	27	6	9	12
CO Emissions (g/hr)	699	250	1882	392	646	807
NOx Emissions (g/hr)	136	49	366	76	126	157
VOC Emissions (g/hr)	162	58	436	91	150	187
Dilemma Vehicles (#)	0	0	0	0	0	0
Queue Length 50th (ft)	157	82	~823	43	~230	299
Queue Length 95th (ft)	#236	160	#~124	57	#403	445
Internal Link Dist (ft)	1053			1457	1143	
Turn Bay Length (ft)		200	500		500	
Base Capacity (vph)	432	588	1034	2464	252	1173

Build 2025 AM Peak

Synchro 10 Report
Page 2

Lanes, Volumes, Timings

17: SR 31 & SR 78

11/06/2020

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	0.83	0.42	1.01	0.17	1.02	0.71	

Intersection Summary

Area Type: Other

Cycle Length: 130

Actuated Cycle Length: 129.5

Natural Cycle: 120

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 1.02

Intersection Signal Delay: 40.8

Intersection LOS: D

Intersection Capacity Utilization 93.1%

ICU Level of Service F

Analysis Period (min) 15

90th %ile Actuated Cycle: 130

70th %ile Actuated Cycle: 130

50th %ile Actuated Cycle: 130

30th %ile Actuated Cycle: 130

10th %ile Actuated Cycle: 127.3

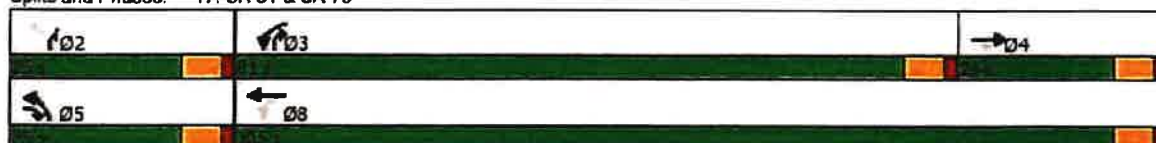
- Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 17: SR 31 & SR 78



Lanes, Volumes, Timings
17: SR 31 & SR 78

11/06/2020

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations	↑↑	↑	↓	↑↑	↓	↑	
Traffic Volume (vph)	389	286	813	335	251	1027	
Future Volume (vph)	389	286	813	335	251	1027	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Lane Width (ft)	12	12	12	12	12	12	
Grade (%)	0%			0%	0%		
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Ped Bike Factor							
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3282	1538	1752	3223	1703	1553	
Flt Permitted			0.255		0.950		
Satd. Flow (perm)	3282	1538	470	3223	1703	1553	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		117				57	
Link Speed (mph)	30			30	30		
Link Distance (ft)	1133			1537	1223		
Travel Time (s)	25.8			34.9	27.8		
Confl. Peds. (#/hr)							
Confl. Bikes (#/hr)							
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	
Growth Factor	100%	100%	100%	100%	100%	100%	
Heavy Vehicles (%)	10%	5%	3%	12%	6%	4%	
Bus Blockages (#/hr)	0	0	0	0	0	0	
Parking (#/hr)							
Mid-Block Traffic (%)	0%			0%	0%		
Adj. Flow (vph)	418	308	874	360	270	1104	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	418	308	874	360	270	1104	
Enter Blocked Intersection	No	No	No	No	No	No	
Lane Alignment	Left	Right	Left	Left	Left	Right	
Median Width(ft)	22			22	22		
Link Offset(ft)	0			0	0		
Crosswalk Width(ft)	16			16	16		
Two way Left Turn Lane							
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	
Turning Speed (mph)		9	15		15	9	
Number of Detectors	2	1	1	2	1	1	
Detector Template	Thru	Right	Left	Thru	Left	Right	
Leading Detector (ft)	100	20	20	100	20	20	
Trailing Detector (ft)	0	0	0	0	0	0	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	23	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	23	
Switch Phase							

Lanes, Volumes, Timings
17: SR 31 & SR 78

11/06/2020

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Q2
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		24.0
Total Split (s)	25.0	24.0	51.0	76.0	24.0		24.0
Total Split (%)	25.0%	24.0%	51.0%	76.0%	24.0%		24%
Maximum Green (s)	19.0	18.0	45.0	70.0	18.0		18.0
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		4.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.5
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Minimum Gap (s)	3.0	3.0	3.0	3.0	3.0		3.0
Time Before Reduce (s)	0.0	0.0	0.0	0.0	0.0		0.0
Time To Reduce (s)	0.0	0.0	0.0	0.0	0.0		0.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)							
Flash Dont Walk (s)							
Pedestrian Calls (#/hr)							
Act Effect Green (s)	16.7	40.7	67.8	67.8	18.0	69.1	
Actuated g/C Ratio	0.17	0.42	0.69	0.69	0.18	0.71	
v/c Ratio	0.75	0.43	0.95	0.16	0.86	0.99	
Control Delay	47.4	14.2	39.7	5.3	66.1	40.7	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	47.4	14.2	39.7	5.3	66.1	40.7	
LOS	D	B	D	A	E	D	
Approach Delay	33.3			29.7	45.7		
Approach LOS	C			C	D		
90th %ile Green (s)	19.0	18.0	45.0	70.0	18.0		18.0
90th %ile Term Code	Max	MaxR	Max	Hold	MaxR		MaxR
70th %ile Green (s)	19.0	18.0	45.0	70.0	18.0		18.0
70th %ile Term Code	Max	MaxR	Max	Hold	MaxR		MaxR
50th %ile Green (s)	17.6	18.0	45.0	68.6	18.0		18.0
50th %ile Term Code	Gap	MaxR	Max	Hold	MaxR		MaxR
30th %ile Green (s)	15.5	18.0	45.0	66.5	18.0		18.0
30th %ile Term Code	Gap	MaxR	Max	Hold	MaxR		MaxR
10th %ile Green (s)	12.7	18.0	45.0	63.7	18.0		18.0
10th %ile Term Code	Gap	MaxR	Max	Hold	MaxR		MaxR
Stops (vph)	358	122	566	103	218	750	
Fuel Used(gal)	9	4	19	5	7	22	
CO Emissions (g/hr)	641	281	1359	346	487	1570	
NOx Emissions (g/hr)	125	55	264	67	95	305	
VOC Emissions (g/hr)	149	65	315	80	113	364	
Dilemma Vehicles (#)	0	0	0	0	0	0	
Queue Length 50th (ft)	131	79	423	35	166	~588	
Queue Length 95th (ft)	184	149	#718	51	#314	#986	
Internal Link Dist (ft)	1053			1457	1143		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	638	709	916	2309	313	1113	

Build 2025 PM Peak

Synchro 10 Report
Page 2

Lanes, Volumes, Timings

17: SR 31 & SR 78

11/06/2020

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBW	NBL	NBR	Ø2
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	0.66	0.43	0.95	0.16	0.86	0.99	

Intersection Summary

Area Type: Other

Cycle Length: 100

Actuated Cycle Length: 97.8

Natural Cycle: 140

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.99

Intersection Signal Delay: 37.1

Intersection LOS: D

Intersection Capacity Utilization 84.7%

ICU Level of Service E

Analysis Period (min) 15

90th %ile Actuated Cycle: 100

70th %ile Actuated Cycle: 100

50th %ile Actuated Cycle: 98.6

30th %ile Actuated Cycle: 96.5

10th %ile Actuated Cycle: 93.7

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 17: SR 31 & SR 78



DEVELOPMENT OF FUTURE YEAR BACKGROUND TURNING VOLUMES

Development of Future Year Background Turning Volumes

Intersection **SR 31 @ SR 78**
 Count Date **2025**
 Build-Out Year **2027**

AM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	244	0	795	0	0	0	0	342	237	995	393	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	244	0	795	0	0	0	0	342	237	995	393	0
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Years to Build-out	2	2	2	2	2	2	2	2	2	2	2	2
2027 Background Turning Volumes	254	0	827	0	0	0	0	356	247	1,035	409	0
Project Turning Volumes			76					42		33	18	
2027 Background + Project	254	0	903	0	0	0	0	398	247	1,068	427	0

PM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	251	0	1,027	0	0	0	0	389	286	813	335	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	251	0	1,027	0	0	0	0	389	286	813	335	0
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Years to Build-out	2	2	2	2	2	2	2	2	2	2	2	2
2027 Background Turning Volumes	261	0	1,068	0	0	0	0	405	298	846	349	0
Project Turning Volumes			125					69		142	79	
2027 Background + Project	261	0	1,193	0	0	0	0	474	298	988	428	0

Development of Future Year Background Turning Volumes

Intersection **SR 31 @ Main Site Access**
 Count Date **2025**
 Build-Out Year **2027**

AM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	1,137	0	0	1,388	0	0	0	0	0	0	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	0	1,137	0	0	1,388	0	0	0	0	0	0	0
Growth Rate	0.00%	2.00%	0.00%	0.00%	2.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	2	2	2	2	2	2	2	2	2	2	2	2
2027 Background Turning Volumes	0	1,183	0	0	1,444	0	0	0	0	0	0	0
Project Turning Volumes		-31	149	97	-46					98		53
2027 Background + Project	0	1,152	149	97	1,398	0	0	0	0	98	0	53

PM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	1,416	0	0	1,148	0	0	0	0	0	0	0
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	0	1,416	0	0	1,148	0	0	0	0	0	0	0
Growth Rate	0.00%	2.00%	0.00%	0.00%	2.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	2	2	2	2	2	2	2	2	2	2	2	2
2027 Background Turning Volumes	0	1,473	0	0	1,194	0	0	0	0	0	0	0
Project Turning Volumes		-115	309	160	-77					298		211
2027 Background + Project	0	1,358	309	160	1,117	0	0	0	0	298	0	211

HCS SUMMARY SHEETS
SR 31 @ SITE ACCESS

HCS Two-Way Stop-Control Report

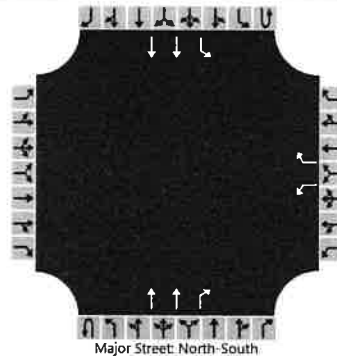
General Information

Analyst	tbt
Agency/Co.	TR Transportation Consult
Date Performed	10/31/2024
Analysis Year	2027
Time Analyzed	AM Pk Hr With Project
Intersection Orientation	North-South
Project Description	F2409.19

Site Information

Intersection	SR 31/Main Access
Jurisdiction	FDOT/Lee County
East/West Street	Main Access
North/South Street	SR 31
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		1	0	1	0	0	2	1	0	1	2	0
Configuration						L		R			T	R		L	T	
Volume (veh/h)						98		53			1152	149	0	97	1398	
Percent Heavy Vehicles (%)						3		3					3	3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized					No				No							
Median Type Storage					Left Only								1			

Critical and Follow-up Headways

Base Critical Headway (sec)						7.5		6.9						4.1		
Critical Headway (sec)						6.86		6.96						4.16		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						107		58						105		
Capacity, c (veh/h)						123		424						473		
v/c Ratio						0.87		0.14						0.22		
95% Queue Length, Q ₉₅ (veh)						5.4		0.5						0.8		
95% Queue Length, Q ₉₅ (ft)						138.2		12.8						20.5		
Control Delay (s/veh)						115.2		14.8						14.8		
Level of Service (LOS)						F		B						B		
Approach Delay (s/veh)					79.9								1.0			
Approach LOS					F								A			

HCS Two-Way Stop-Control Report

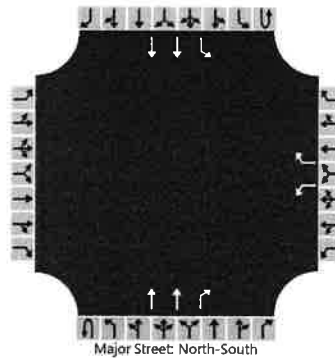
General Information

Analyst	tbt
Agency/Co.	TR Transportation Consult
Date Performed	10/31/2024
Analysis Year	2027
Time Analyzed	PM Pk Hr With Project
Intersection Orientation	North-South
Project Description	F2409.19

Site Information

Intersection	SR 31/Main Access
Jurisdiction	FDOT/Lee County
East/West Street	Main Access
North/South Street	SR 31
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		1	0	1	0	0	2	1	0	1	2	0
Configuration						L		R			T	R		L	T	
Volume (veh/h)						298		211			1358	309	0	160	1117	
Percent Heavy Vehicles (%)						3		3					3	3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized					No				No							
Median Type Storage	Left Only								1							

Critical and Follow-up Headways

Base Critical Headway (sec)						7.5		6.9						4.1		
Critical Headway (sec)						6.86		6.96						4.16		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						324		229						174		
Capacity, c (veh/h)						81		358						331		
v/c Ratio						3.99		0.64						0.53		
95% Queue Length, Q ₉₅ (veh)						33.9		4.2						2.9		
95% Queue Length, Q ₉₅ (ft)						867.8		107.5						74.2		
Control Delay (s/veh)						1450.7		31.3						27.3		
Level of Service (LOS)						F		D						D		
Approach Delay (s/veh)					862.3								3.4			
Approach LOS					F								A			

SYNCHRO SUMMARY SHEETS

SR 31 @ SR 78

Lanes, Volumes, Timings

3: SR 31 & SR 78

2027 AM Pk Hr Background

10/31/2024

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations	↑↑	↑	↘	↑↑	↘	↑	
Traffic Volume (vph)	356	247	1035	409	254	827	
Future Volume (vph)	356	247	1035	409	254	827	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583	
Flt Permitted			0.201		0.950		
Satd. Flow (perm)	3539	1583	374	3539	1770	1583	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		97				25	
Link Speed (mph)	45			45	45		
Link Distance (ft)	1385			1710	953		
Travel Time (s)	21.0			25.9	14.4		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	387	268	1125	445	276	899	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	387	268	1125	445	276	899	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		22.5
Total Split (s)	24.0	25.0	81.0	105.0	25.0		25.0
Total Split (%)	18.5%	19.2%	62.3%	80.8%	19.2%		19%
Maximum Green (s)	18.0	19.0	75.0	99.0	19.0		20.5
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)	7.0	7.0		7.0	7.0		7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0		11.0
Pedestrian Calls (#/hr)	0	0		0	0		0
Act Effect Green (s)	17.2	42.2	98.2	98.2	19.0	101.5	
Actuated g/C Ratio	0.13	0.33	0.76	0.76	0.15	0.79	
v/c Ratio	0.82	0.46	1.03	0.17	1.06	0.72	
Control Delay	69.4	24.2	57.6	4.4	125.6	10.9	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	69.4	24.2	57.6	4.4	125.6	10.9	

Baseline

 Lanes, Volumes, Timings
 Page 1

Lanes, Volumes, Timings

3: SR 31 & SR 78

2027 AM Pk Hr Background

10/31/2024

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
LOS	E	C	E	A	F	B	
Approach Delay	50.9			42.6	37.8		
Approach LOS	D			D	D		
Queue Length 50th (ft)	168	111	~954	46	~257	314	
Queue Length 95th (ft)	#235	194	#1219	61	#435	464	
Internal Link Dist (ft)	1305			1630	873		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	493	582	1094	2711	260	1248	
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	0.78	0.46	1.03	0.16	1.06	0.72	

Intersection Summary

Area Type: Other

Cycle Length: 130

Actuated Cycle Length: 129.2

Natural Cycle: 140

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 1.06

Intersection Signal Delay: 42.5

Intersection LOS: D

Intersection Capacity Utilization 96.3%

ICU Level of Service F

Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & SR 78

↖ Ø2	↖ Ø3	→ Ø4
25 s	31 s	24 s
↘ Ø5	← Ø8	
25 s	105 s	

Lanes, Volumes, Timings

3: SR 31 & SR 78

2027 PM Pk Hr Background

10/31/2024

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations	↑↑	↑	↘	↑↑	↘	↑	
Traffic Volume (vph)	405	298	846	349	261	1068	
Future Volume (vph)	405	298	846	349	261	1068	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583	
Flt Permitted			0.234		0.950		
Satd. Flow (perm)	3539	1583	436	3539	1770	1583	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		101				49	
Link Speed (mph)	45			45	45		
Link Distance (ft)	1385			1710	953		
Travel Time (s)	21.0			25.9	14.4		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	440	324	920	379	284	1161	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	440	324	920	379	284	1161	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		22.5
Total Split (s)	25.0	24.0	51.0	76.0	24.0		24.0
Total Split (%)	25.0%	24.0%	51.0%	76.0%	24.0%		24%
Maximum Green (s)	19.0	18.0	45.0	70.0	18.0		19.5
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)	7.0	7.0		7.0	7.0		7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0		11.0
Pedestrian Calls (#/hr)	0	0		0	0		0
Act Effct Green (s)	16.6	40.6	67.6	67.6	18.0		70.5
Actuated g/C Ratio	0.17	0.42	0.69	0.69	0.18		0.72
v/c Ratio	0.73	0.45	1.00	0.15	0.87		1.00
Control Delay	46.2	15.9	51.6	5.3	66.4		42.6
Queue Delay	0.0	0.0	0.0	0.0	0.0		0.0
Total Delay	46.2	15.9	51.6	5.3	66.4		42.6

Baseline

 Lanes, Volumes, Timings
 Page 1

Lanes, Volumes, Timings

3: SR 31 & SR 78

2027 PM Pk Hr Background

10/31/2024

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
LOS	D	B	D	A	E	D	
Approach Delay	33.3			38.1	47.3		
Approach LOS	C			D	D		
Queue Length 50th (ft)	137	94	~493	37	175	~656	
Queue Length 95th (ft)	191	168	#789	52	#328	#1039	
Internal Link Dist (ft)	1305			1630	873		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	689	717	917	2538	326	1157	
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	0.64	0.45	1.00	0.15	0.87	1.00	

Intersection Summary

Area Type: Other

Cycle Length: 100

Actuated Cycle Length: 97.6

Natural Cycle: 140

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 1.00

Intersection Signal Delay: 40.8

Intersection LOS: D

Intersection Capacity Utilization 87.5%

ICU Level of Service E

Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & SR 78

↖ Ø2 24 s	↖ Ø3 51 s	→ Ø4 25 s
↘ Ø5 24 s	← Ø8 76 s	

Lanes, Volumes, Timings

3: SR 31 & SR 78

2027 AM Pk Hr With Project

10/31/2024

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations	↑↑	↑	↘	↑↑	↘	↑	
Traffic Volume (vph)	398	247	1068	427	254	903	
Future Volume (vph)	398	247	1068	427	254	903	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583	
Flt Permitted			0.168		0.950		
Satd. Flow (perm)	3539	1583	313	3539	1770	1583	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		87				15	
Link Speed (mph)	45			45	45		
Link Distance (ft)	1385			1710	953		
Travel Time (s)	21.0			25.9	14.4		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	433	268	1161	464	276	982	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	433	268	1161	464	276	982	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		22.5
Total Split (s)	24.0	25.0	81.0	105.0	25.0		25.0
Total Split (%)	18.5%	19.2%	62.3%	80.8%	19.2%		19%
Maximum Green (s)	18.0	19.0	75.0	99.0	19.0		20.5
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)	7.0	7.0		7.0	7.0		7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0		11.0
Pedestrian Calls (#/hr)	0	0		0	0		0
Act Effct Green (s)	17.8	42.8	98.8	98.8	19.0	101.5	
Actuated g/C Ratio	0.14	0.33	0.76	0.76	0.15	0.78	
v/c Ratio	0.89	0.46	1.08	0.17	1.07	0.79	
Control Delay	76.7	25.6	74.2	4.4	127.2	14.0	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	76.7	25.6	74.2	4.4	127.2	14.0	

Baseline

 Lanes, Volumes, Timings
 Page 1

Lanes, Volumes, Timings

3: SR 31 & SR 78

2027 AM Pk Hr With Project

10/31/2024

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
LOS	E	C	E	A	F	B	
Approach Delay	57.2			54.3	38.8		
Approach LOS	E			D	D		
Queue Length 50th (ft)	191	118	~1038	48	~257	397	
Queue Length 95th (ft)	#282	202	#1303	64	#435	604	
Internal Link Dist (ft)	1305			1630	873		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	491	579	1079	2700	258	1241	
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	0.88	0.46	1.08	0.17	1.07	0.79	

Intersection Summary

Area Type: Other

Cycle Length: 130

Actuated Cycle Length: 129.8

Natural Cycle: 140

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 1.08

Intersection Signal Delay: 49.4

Intersection LOS: D

Intersection Capacity Utilization 99.2%

ICU Level of Service F

Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & SR 78

↖ Ø2	↖ Ø3	→ Ø4
25 s	61 s	24 s
↖ Ø5	↖ Ø8	
25 s	105 s	

Lanes, Volumes, Timings

3: SR 31 & SR 78

2027 PM Pk Hr With Project

10/31/2024

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
Lane Configurations	↑↑	↑	↘	↑↑	↘	↑	
Traffic Volume (vph)	474	298	988	428	261	1193	
Future Volume (vph)	474	298	988	428	261	1193	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	
Storage Length (ft)		200	500		500	0	
Storage Lanes		1	1		1	1	
Taper Length (ft)			25		25		
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00	
Frt		0.850				0.850	
Flt Protected			0.950		0.950		
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583	
Flt Permitted			0.183		0.950		
Satd. Flow (perm)	3539	1583	341	3539	1770	1583	
Right Turn on Red		Yes				Yes	
Satd. Flow (RTOR)		61				28	
Link Speed (mph)	45			45	45		
Link Distance (ft)	1385			1710	953		
Travel Time (s)	21.0			25.9	14.4		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	515	324	1074	465	284	1297	
Shared Lane Traffic (%)							
Lane Group Flow (vph)	515	324	1074	465	284	1297	
Turn Type	NA	pm+ov	pm+pt	NA	pm+pt	pt+ov	
Protected Phases	4	5	3	8	5	2 3	2
Permitted Phases		4	8		2		
Detector Phase	4	5	3	8	5	2 3	
Switch Phase							
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	24.0	24.0	11.0	24.0	24.0		22.5
Total Split (s)	25.0	24.0	51.0	76.0	24.0		24.0
Total Split (%)	25.0%	24.0%	51.0%	76.0%	24.0%		24%
Maximum Green (s)	19.0	18.0	45.0	70.0	18.0		19.5
Yellow Time (s)	4.5	4.5	4.5	4.5	4.5		3.5
All-Red Time (s)	1.5	1.5	1.5	1.5	1.5		1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0		
Total Lost Time (s)	6.0	6.0	6.0	6.0	6.0		
Lead/Lag	Lag		Lead				
Lead-Lag Optimize?	Yes		Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	Max	None	None	Max		Max
Walk Time (s)	7.0	7.0		7.0	7.0		7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0		11.0
Pedestrian Calls (#/hr)	0	0		0	0		0
Act Effect Green (s)	17.8	41.8	68.8	68.8	18.0	70.5	
Actuated g/C Ratio	0.18	0.42	0.70	0.70	0.18	0.71	
v/c Ratio	0.81	0.46	1.21	0.19	0.88	1.14	
Control Delay	49.8	18.7	128.0	5.4	68.6	91.8	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	
Total Delay	49.8	18.7	128.0	5.4	68.6	91.8	

Baseline

 Lanes, Volumes, Timings
 Page 1

Lanes, Volumes, Timings
3: SR 31 & SR 78

2027 PM Pk Hr With Project
10/31/2024

	→	↘	↙	←	↖	↗	
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	Ø2
LOS	D	B	F	A	E	F	
Approach Delay	37.8			91.0	87.6		
Approach LOS	D			F	F		
Queue Length 50th (ft)	165	114	~791	46	179	~979	
Queue Length 95th (ft)	224	190	#1040	64	#328	#1238	
Internal Link Dist (ft)	1305			1630	873		
Turn Bay Length (ft)		200	500		500		
Base Capacity (vph)	680	704	888	2507	322	1137	
Starvation Cap Reductn	0	0	0	0	0	0	
Spillback Cap Reductn	0	0	0	0	0	0	
Storage Cap Reductn	0	0	0	0	0	0	
Reduced v/c Ratio	0.76	0.46	1.21	0.19	0.88	1.14	

Intersection Summary

Area Type: Other

Cycle Length: 100

Actuated Cycle Length: 98.8

Natural Cycle: 140

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 1.21

Intersection Signal Delay: 78.4

Intersection LOS: E

Intersection Capacity Utilization 97.3%

ICU Level of Service F

Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: SR 31 & SR 78

↖ Ø2	↖ Ø3	→ Ø4
24 s	51 s	25 s
↙ Ø5	← Ø8	
24 s	76 s	

TRIP GENERATION EQUATIONS

Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 16

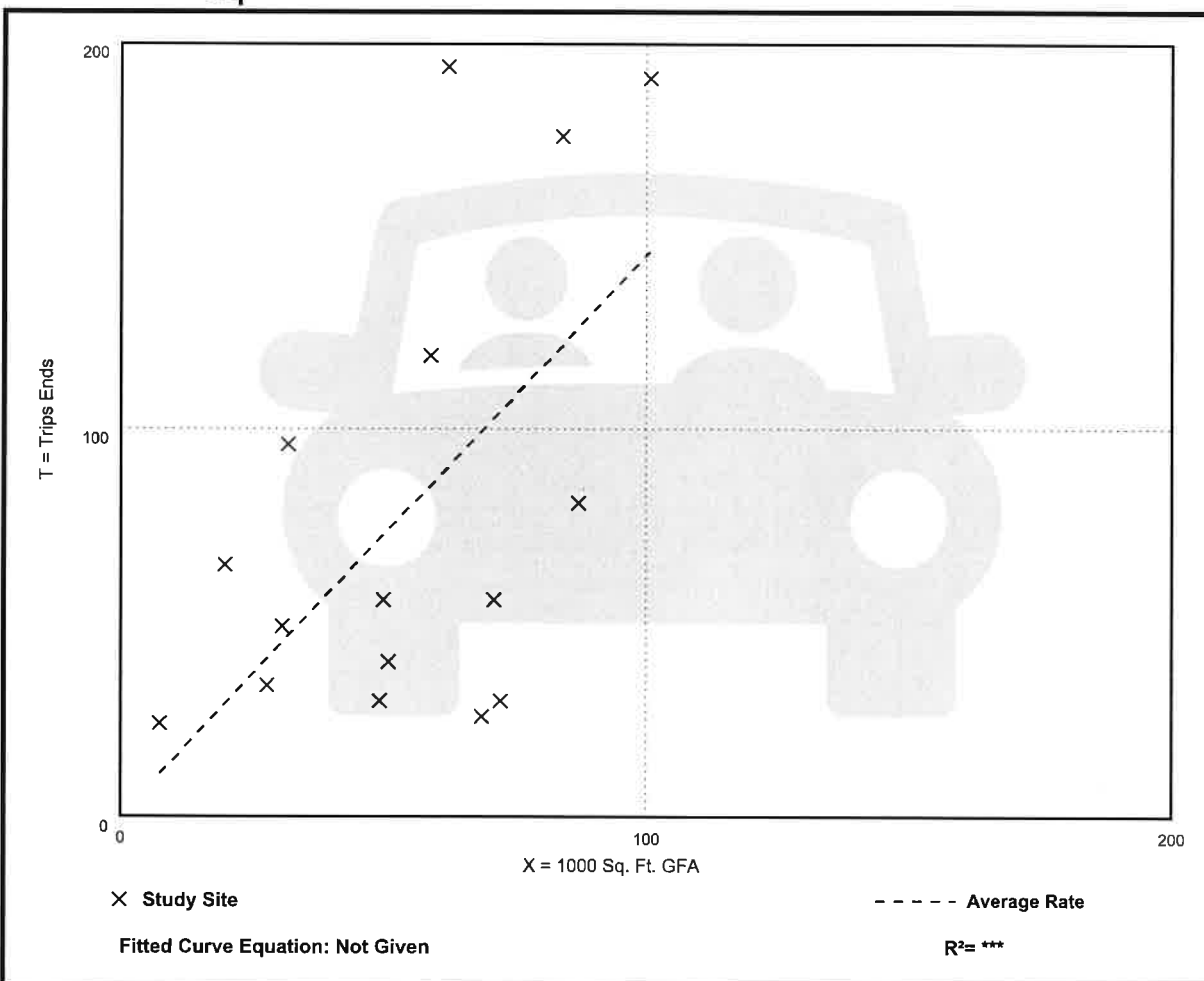
Avg. 1000 Sq. Ft. GFA: 55

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.45	0.38 - 3.25	0.92

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 13

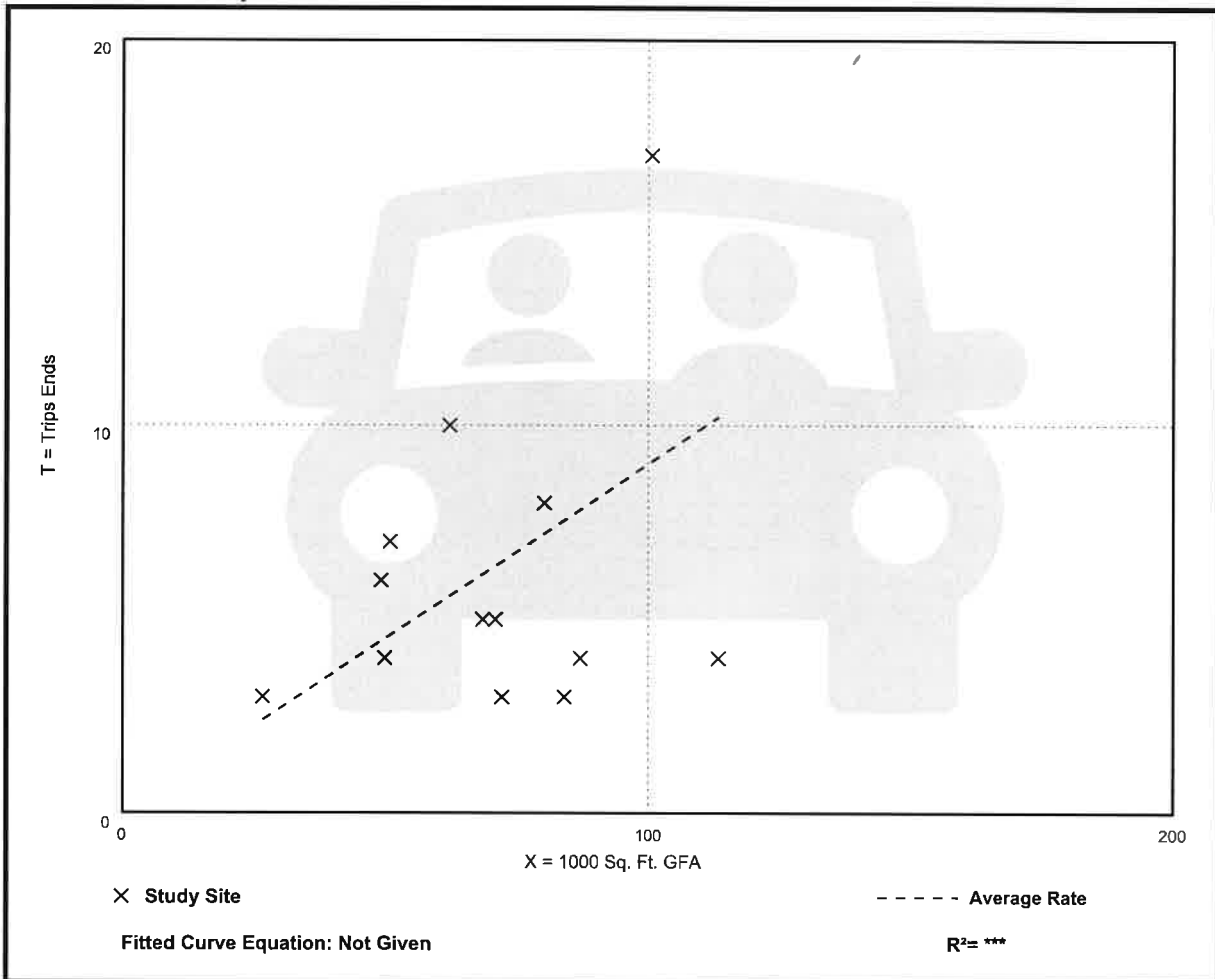
Avg. 1000 Sq. Ft. GFA: 70

Directional Distribution: 59% entering, 41% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.09	0.04 - 0.17	0.05

Data Plot and Equation



Mini-Warehouse (151)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: **Weekday,**

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 18

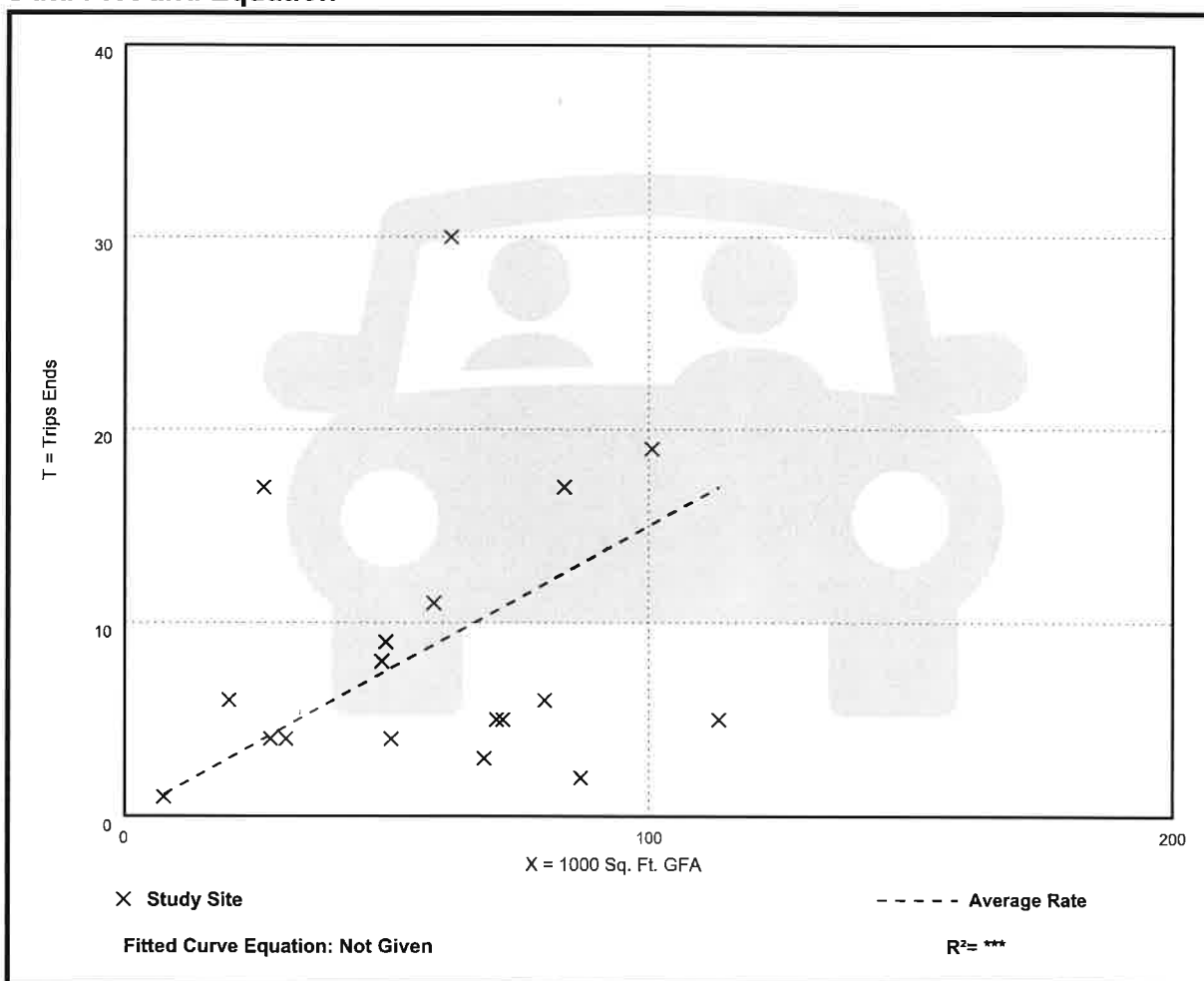
Avg. 1000 Sq. Ft. GFA: 59

Directional Distribution: 47% entering, 53% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.15	0.02 - 0.64	0.14

Data Plot and Equation



Shopping Plaza (40-150k) - Supermarket - Yes (821)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 17

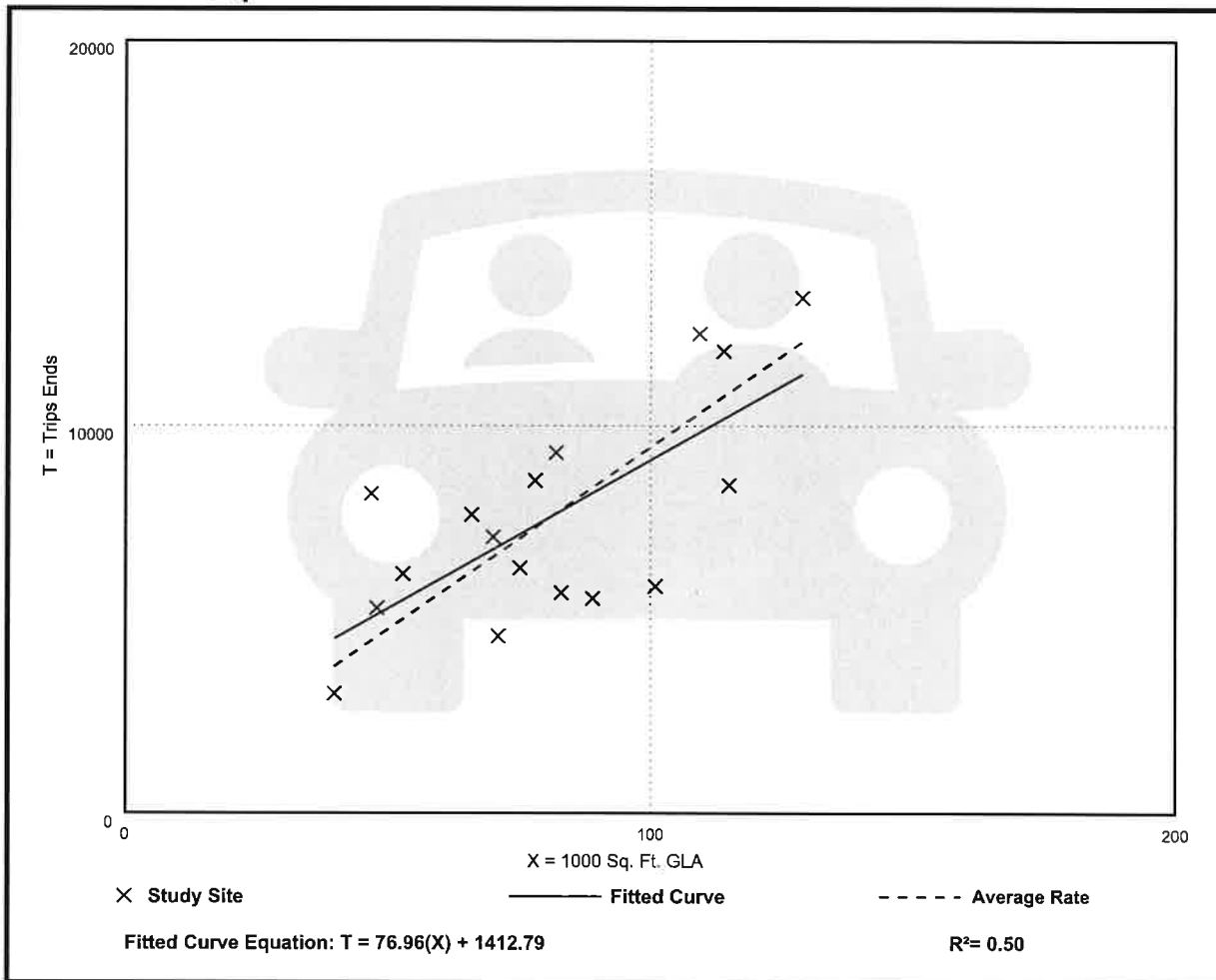
Avg. 1000 Sq. Ft. GLA: 81

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
94.49	57.86 - 175.32	26.55

Data Plot and Equation



Shopping Plaza (40-150k) - Supermarket - Yes (821)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 16

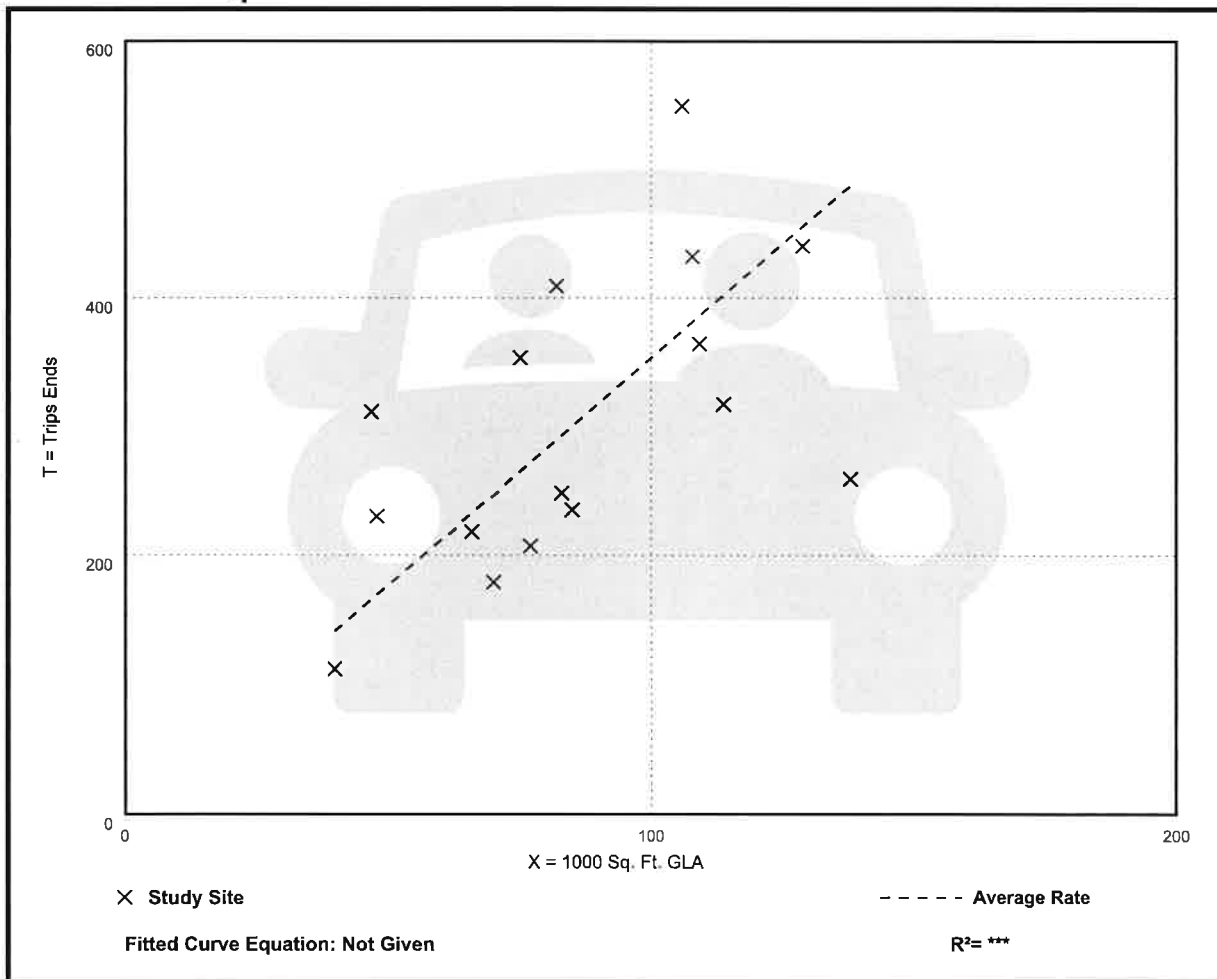
Avg. 1000 Sq. Ft. GLA: 86

Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
3.53	1.88 - 6.62	1.17

Data Plot and Equation



Shopping Plaza (40-150k) - Supermarket - Yes (821)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 51

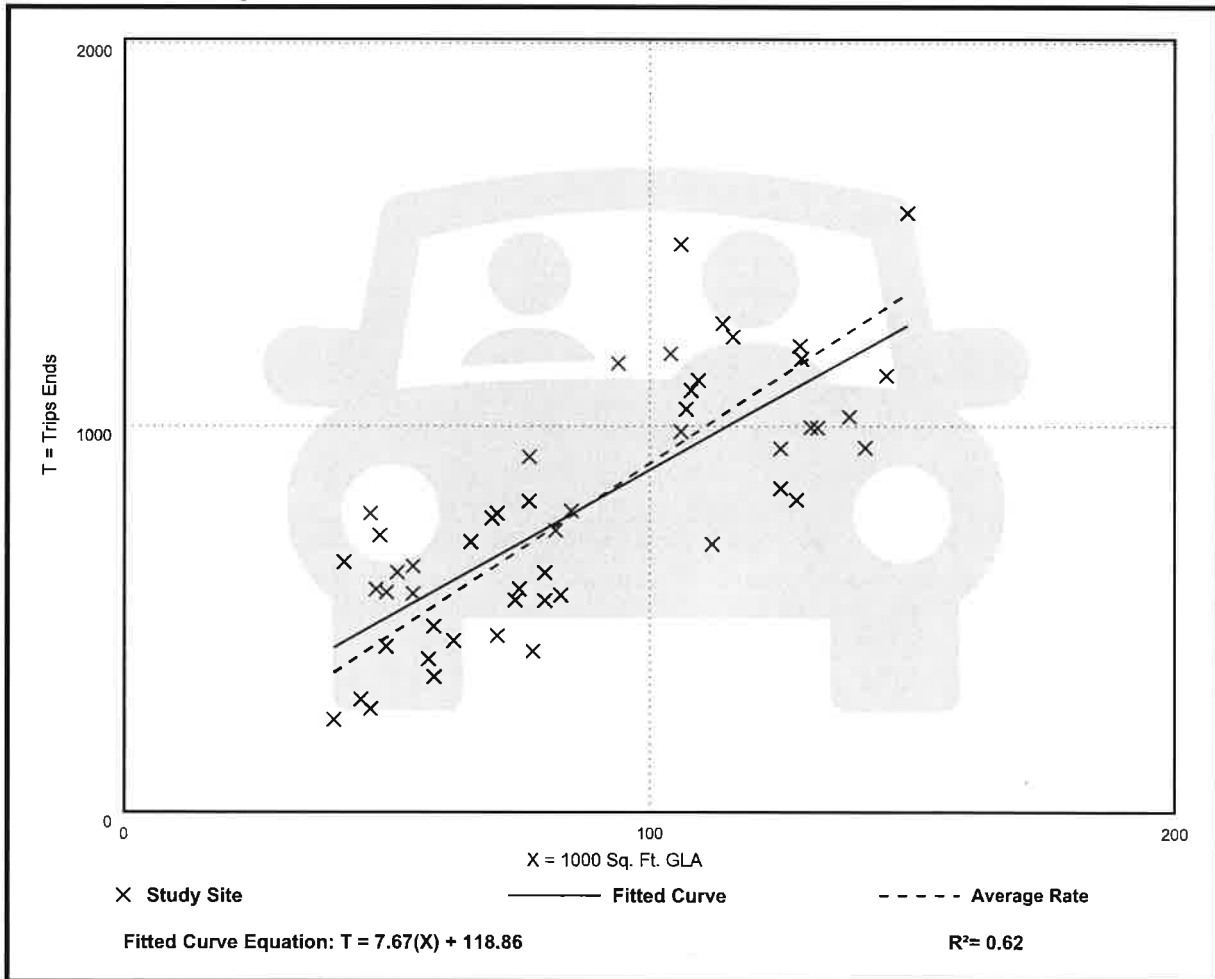
Avg. 1000 Sq. Ft. GLA: 87

Directional Distribution: 48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
9.03	5.35 - 16.45	2.37

Data Plot and Equation





Singletary CPD Description of Surface Water Management Plan DCI2024-00043

LDC Sec. 34-373(b)(1) A written description of the surface water management plan that includes:

- a. The runoff characteristics of the property in its existing state;

The site is a ±16.81 acre parcel which includes a single family residence, pole barns, driveways, and an existing cattle pond. The existing elevations range from approximately 2.0 FT-NAVD to 6.0 FT-NAVD. Based on the Florida Land Use, Cover, and Forms Classification (FLUCFCS) Map the site includes ±3.78 acres of wetlands on the east side of the site and an isolated exotic low quality ±0.35 acre wetland in the center of the site. The site is bordered on the west by State Road 31/Babcock Ranch Road, currently vacant green space to the north which is part of a Mixed Use Planned Development, and a single family residence with green space to the south and east. Stormwater generally flows to the east/southeast to the Caloosahatchee River via existing wetland systems. Based on an overlay of the site with the United States Geological Survey (USGS) Map an approximate natural waterway cuts across the northeast corner of the site. A site visit was performed and an existing culvert was found and survey located at the northeast side of the site which lines up with the waterway line from USGS. The existing culvert spans to convey water from the north property line approximately in line with the USGS map.

There is no existing South Florida Water Management (SFWMD) Environmental Resource Permit (ERP) on the site. The west side of the site is within Florida Department of Environmental Protection (FDEP) Water Body ID 3240C1 called Palm Creek and the east side is in WBID 3240N known as Owl Creek. Both are within the Caloosahatchee Group. The site is in a coastal floodplain, Zone AE, per Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 12071C0282G effective November 11, 2022. The Base Flood Elevation is 11.0 FT-NAVD. Per LEEGIS Data Explorer the site is also within Lee County's Coastal High Hazard Area.

- b. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;

The Master Concept Plan proposes to maintain the existing wetlands on the east side of the site in the existing conditions with exotics removed along with a proposed minimum of 15 feet wide, 25 feet average buffer on the west side of the preserve. The wetland preserve area will remain outside of the proposed site stormwater management system and will continue to remain available to receive off-site flows. The existing approximate USGS waterway and culvert on northeast side of the site would remain in the existing conditions as well to maintain existing flow patterns. The proposed plan includes a lake tract on the central/east side of the parcel for

stormwater management. As this development includes commercial uses at time of buildout of the right of way tract and commercial parcels will provide at least a minimum of 0.5 inch of dry pre-treatment prior to discharge to the lake. The lake would be part of the master stormwater system for the development and would include a control structure to limit discharge to the wetland area to the east. The discharge would then continue, as it does in existing conditions, to the east/southeast to the Caloosahatchee River via existing wetland systems after providing the required water quality and attenuation per SFWMD requirements. The project proposes to impact $0.35\pm$ acre of isolated exotic wetlands within the CHHA. Since these minimal impacts are to isolated low quality wetlands less than $\frac{1}{2}$ acre in size that are not utilized by listed species, no wetland mitigation is required or proposed. Compensating storage will include wetland creation for the $0.35\pm$ acre impact that is within the CHHA and will be created out of uplands adjacent to the wetlands and near the natural waterway as shown on the proposed Master Concept Plan. The proposed compensatory storage wetland creation area(s) will be graded and allowed to naturally recruit native wetland plant species. The area(s) will be monitored for the recruitment of native plant species. If after two growing seasons appropriate native wetland vegetation has not recruited into the area, native supplemental plantings will be installed. Exotic and nuisance vegetation will be treated or removed.

- c. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;

Each commercial parcel would be required to provide a minimum 0.5 inch pretreatment typically done by dry detention/retention prior to discharge to the master system's on site lake. The commercial parcel pre-treatment system would be owned and maintained by each parcel owner as required at time of development by SFWMD. The master stormwater system which would include the right of way tract, lake, and associated infrastructure would be owned and maintained by an Association as required by SFWMD at time of development. The wetland/preserve area as well as the natural waterway on east side of the site would remain in existing condition with exotics removed.

- d. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;

The existing eastern side of the parcel is proposed to remain in existing conditions and be preserved with exotics removed; including the existing ± 3.78 acres of wetlands and associated compensating wetland creation area of ± 0.35 acres. The existing natural waterway would not be disturbed. The water table elevations will be maintained by appropriately setting the outfall structure at the established water control elevation at time of development.

- e. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.

The site is located within FEMA Zone AE with a Base Flood Elevation of 11.0 FT-NAVD. Proposed structures will be placed with a finished floor elevation at least one foot above the base flood elevation.

PHONE: (239) 543 - 3335

18571 DURRANCE RD., N. FT. MYERS, FL. 33917

FIELD BOOK 25-Z48 W.O. NUMBER 6703

DATE: 4 - 8 - 23

SURVEYING-ENGINEERING-LAND PLANNING

CERTIFIED SKETCH

Starnes Surveying, Inc. L.B. 6766

SHEET OF

I HEREBY CERTIFY THAT THIS SKETCH AS SHOWN IS A TRUE REPRESENTATION OF THE PARCEL HEREON DESCRIBED AS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

James R. Starnes
JAMES R. STARNES P.L.S. 4869
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA.



LEGAL DESCRIPTION AS PER INST. 2016000015912

A TRACT OR PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, SAID CORNER LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31, (100 FEET WIDE), THENCE RUN S 88°46'28" E FOR 100.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID STATE ROAD 31 (BASIS OF BEARINGS), THENCE RUN N 00°26'31" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 811.99 FEET TO THE POINT OF BEGINNING TO THE HEREIN DESCRIBED PARCEL:

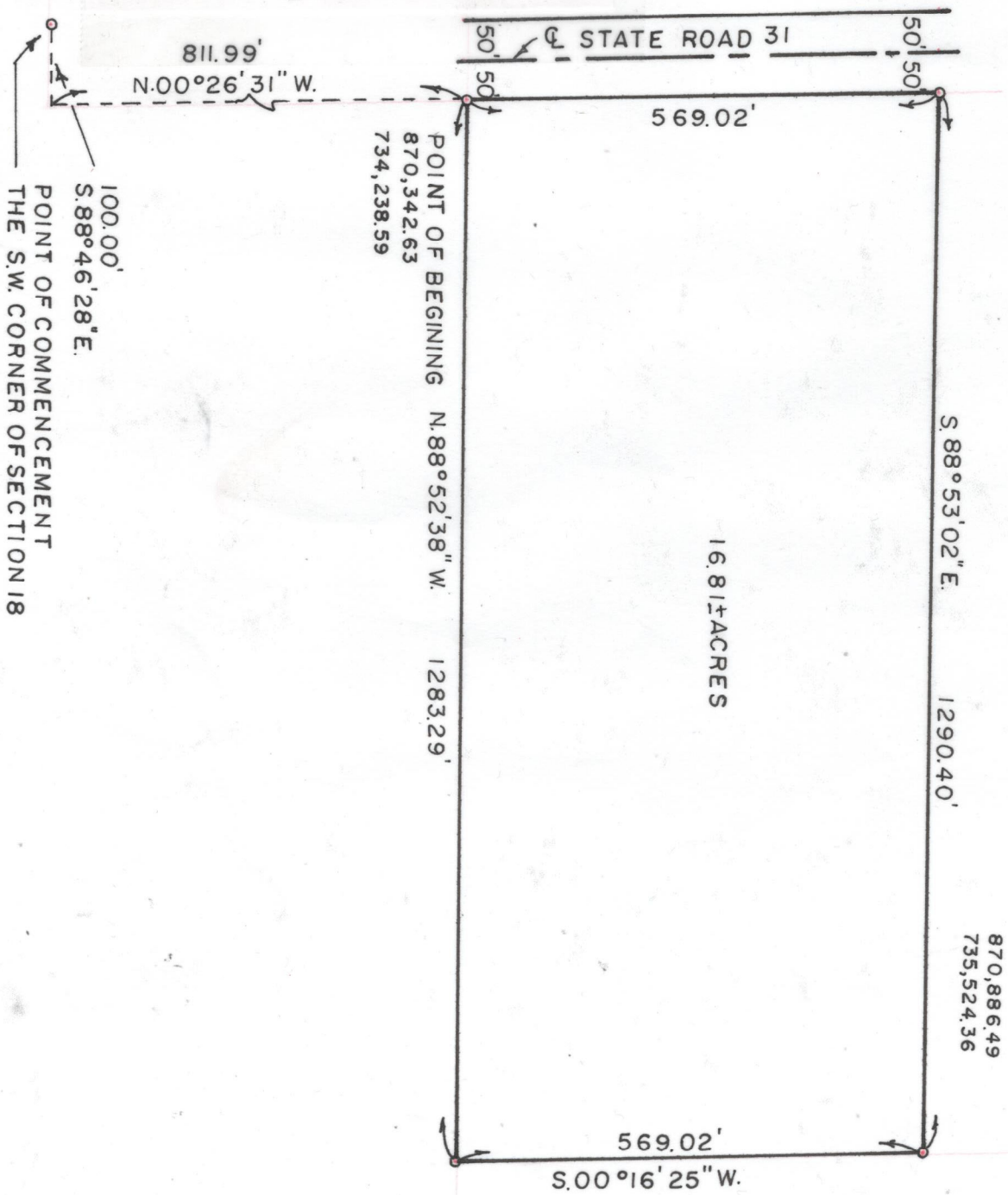
FROM SAID POINT OF BEGINNING CONTINUE RUNNING N 00°26'31" W ALONG SAID RIGHT-OF-WAY LINE FOR 569.02 FEET; THENCE RUN S 88°53'02" E FOR 1290.40 FEET; THENCE RUN S 00°16'25" W FOR 569.02 FEET; THENCE RUN N 88°52'38" W FOR 1283.29 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 16.81 ACRES, MORE OR LESS.

THE COORDINATES AS SHOWN HERE ON ARE BASED ON THE FLORIDA WEST ZONE 1983/1990 ADJUSTMENT.

NOTE: (1). THIS SKETCH IS NOT A SURVEY.
(2). THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SCALE: 1" = 200'



100.00'
S. 88°46'28" E.
POINT OF COMMENCEMENT
THE S.W. CORNER OF SECTION 18

S:\Users\jash\Documents\24003215 - Regulatory CPD - 10205 37 21\Archaeological Sensitivity Map.dwg, 3/10/2025 4:48:07 PM, GISE, JASH@LEE-ATWELL.LLC



NOTE:

ENTIRE SITE IS WITHIN ARCHAEOLOGICAL SENSITIVITY LEVEL 2.



ARCHAEOLOGICAL SENSITIVITY MAP

SINGLETARY CPD

LEE COUNTY, FLORIDA

STEVE SINGLETARY

PREPARED FOR:

NO.	DATE	REVISION DESCRIPTION	BY



ALL UTILITIES ARE SHOWN BASED ON THE INFORMATION AVAILABLE TO THE ENGINEER. THERE IS NO GUARANTEE ALL UTILITIES ARE SHOWN OR THAT THE LOCATION, DEPTH, AND SIZE OF EACH FACILITY IS CORRECT. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES AND SERVICE LINES PRIOR TO CONSTRUCTION.

DRAFTED BY: JLS	DESIGNED BY: TRL	REVIEWED BY: SEH
PROJECT NUMBER: 24003215	COMPLETION DATE: 3/10/2025	SURVEY DATUM:
BOOK AND PAGE: SHEET	1	

FLOOD INFORMATION
ZONE AE
BASE ELEVATION = 11'
MAP 12071C 0282 G
DATE OF FIRM 11-17-22

THE ELEVATIONS AS SHOWN HERE ON ARE BASED ON THE DEPARTMENT OF TRANSPORTATION
BENCHMARK A12 RESET, ELEVATION = 3.35'.

THE ELEVATIONS AS SHOWN HERE ON ARE BASED ON NAVD 88 DATUM.

X-X-X-X = EXISTING ELEVATIONS

THE BEARINGS AS SHOWN HERE ON ARE BASED ON THE SOUTH LINE OF SECTION 18 AS BEING
S 88°46'28" E. INST. 2015000097283
RESIDENCE

JAMES R. STARNES
DIGITALLY SIGNED AND SEALED
BY JAMES R. STARNES
PLS4869

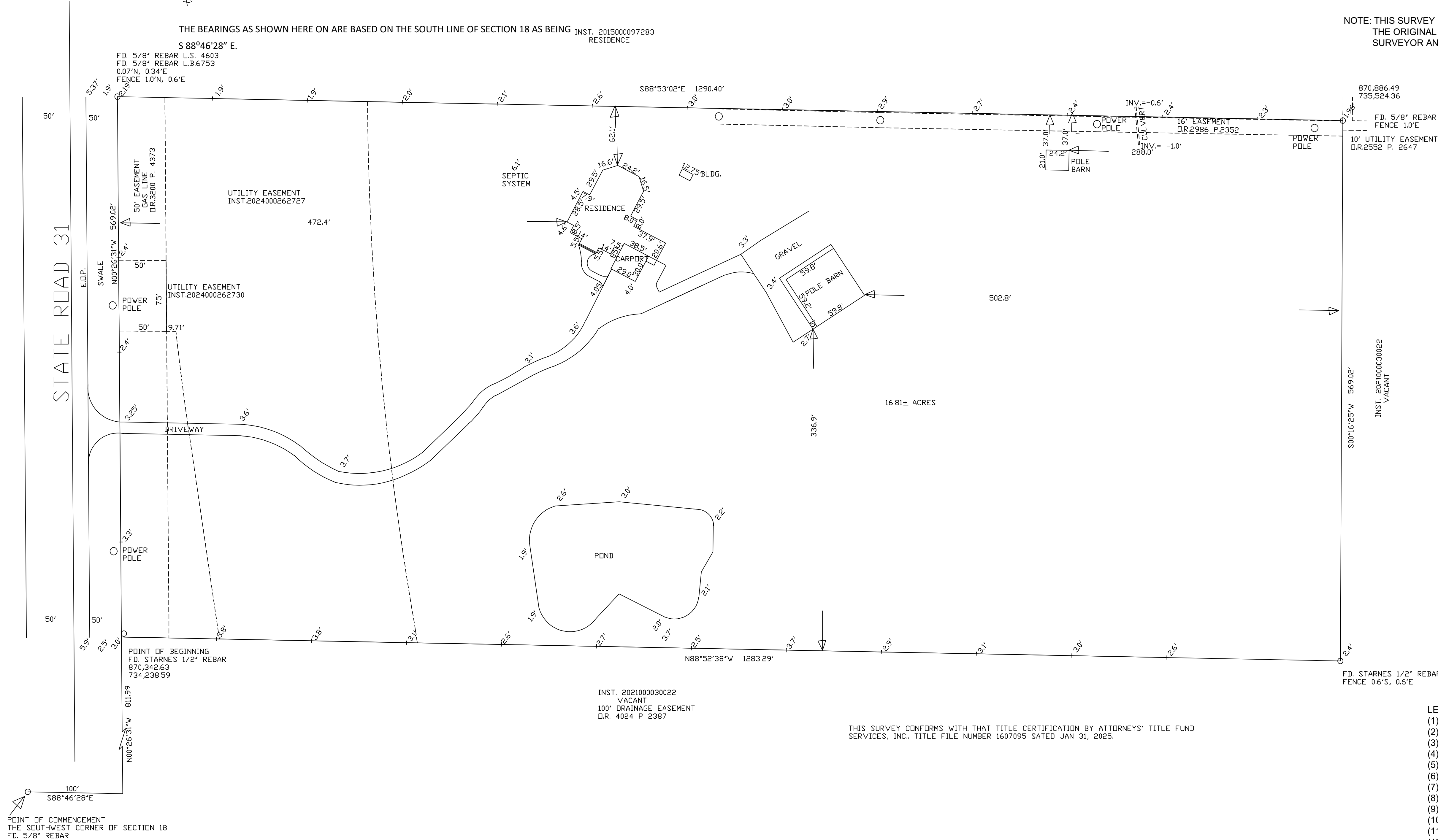
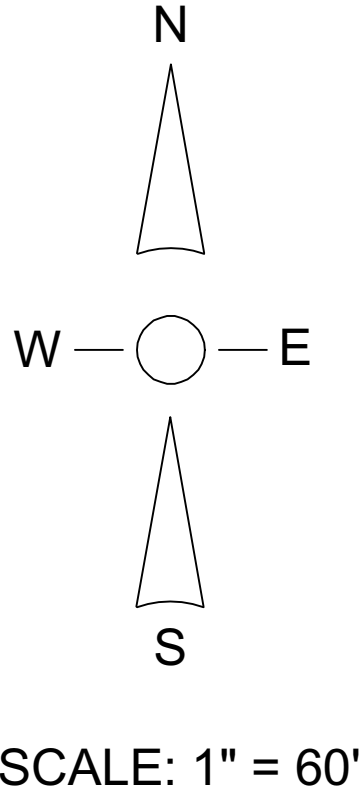


I HEREBY CERTIFY THAT THE SURVEY HEREON WAS MADE UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I DO NOT CERTIFY THAT THE ZONING REQUIREMENTS HAVE BEEN MET. I ALSO CERTIFY THAT THIS SURVEY HEREON MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS SET FORTH IN SECTION 472.027, FLORIDA STATUTES AND ACCORDING TO CHAPTER 5J-17.050, 5J-0517.051 AND 5J-17.052 FLORIDA ADMINISTRATIVE CODE.

date feb. 25, 2025

REGISTERED LAND SURVEYOR P.L.S. #4869
STATE OF FLORIDA JAMES R. STARNES

NOTE: THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



- LEGEND:
- (1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 - (2) FD. = FOUND
 - (3) N = NORTH
 - (4) S = SOUTH
 - (5) E = EAST
 - (6) W = WEST
 - (7) C.M. = CONCRETE MONUMENT
 - (8) ∇ = CENTERLINE
 - (9) B.D. = BRASS DISC
 - (10) B.M. = BENCH MARK
 - (11) EL. = ELEVATION
 - (12) R.O.W. = RIGHT-OF-WAY
 - (13) U.T.S. = UNITED TELEPHONE SYSTEM
 - (14) C.B. = CATCH BASIN
 - (15) F.P.&L. = FLORIDA POWER & LIGHT
 - (16) P.O.B. = POINT OF BEGINNING
 - (17) P.O.C. = POINT OF COMMENCEMENT
 - (18) P.R.M. = PERMANENT REFERENCE MARKER
 - (19) P.C.P. = PERMANENT CONTROL POINT
 - (20) P.U.E. = PUBLIC UTILITY EASEMENT
 - (21) CALC. = CALCULATED
 - (22) MEAS. = MEASURED
 - (23) PRO. = PRORATED
 - (24) STARNES #4 REBAR = A #4 REBAR AND METAL CAP STAMPED STARNES
 - (25) STARNES MON. = CONCRETE MONUMENT WITH A METAL PLATE, STAMPED STARNES
 - (26) N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
 - (28) M.H.T. = MEAN HIGH TIDE
 - (29) Δ = DELTA
- NOTE: UNDER GROUND IMPROVEMENTS THAT ARE NOT SHOWN, IF ANY WERE NOT LOCATED.

LEGAL DESCRIPTION AS PER INST.2016000015912
A TRACT OR PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, SAID CORNER LYING ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31, (100 FEET WIDE), THENCE RUN S88°46'28" E. FOR 100.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF SAID STATE ROAD 31 (BASIS OF BEARINGS), THENCE RUN N00°26'31"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 811.99 FEET TO THE POINT OF BEGINNING TO THE HEREIN DESCRIBED PARCEL;
FROM SAID POINT OF BEGINNING CONTINUE RUNNING N 00°26'31"W ALONG SAID RIGHT-OF-WAY LINE FOR 569.02 FEET, THENCE RUN S 88°53'02"E FOR 1290.40 FEET, THENCE RUN S 00°16'25"W FOR 569.02 FEET, THENCE RUN N 88°52'38"W FOR 1283.29 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 16.81 ACRES MORE OR LESS.

THE COORDINATES AS SHOWN HERE ON ARE BASED ON THE
FLORIDA WEST ZONE 1983/1990 ADJUSTMENT.

THIS SURVEY CONFORMS WITH THAT TITLE CERTIFICATION BY ATTORNEYS' TITLE FUND SERVICES, INC. TITLE FILE NUMBER 1607095 SATED JAN 31, 2025.

Starnes Surveying, Inc.

18571 DURRANCE ROAD • N. FORT MYERS, FLORIDA • (239) 543-3335

BOUNDARY SURVEY

Field Book 24-248 Page 30-33 W.O. 6703

Sheet 1 of 1

According to the Plat thereof as recorded in Plat Book _____ at Page _____

Public Records of _____ LEE County, Florida.

FOR: _____ DATE 4-8-23

REVISED: _____

S:\Users\jacob\OneDrive\2402215 - Regulatory CDD - 18025 37 21128-31 Map.dwg, #1 10-28-2024, 2/12/2025 5:29:46 PM, JORGE SANCHEZ, PINELL, LLC

FLU: RURAL
ZONING: AG-2
SINGLE-FAMILY

SINGLE FAMILY DRIVEWAY

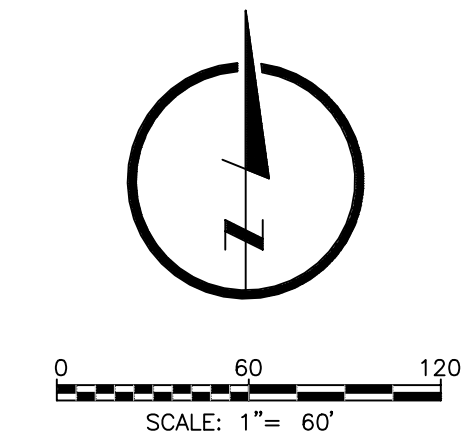
EXISTING
AGRICULTURAL
ACCESS

PROPOSED MPD ACCESS

FLU: OUTLYING SUBURBAN
ZONING: MPD (COMMERCIAL)
VACANT

POTENTIAL LOCATION
FUTURE CROSS
ACCESS CONNECTION
PER Z-22-037A

FLU: OUTLYING SUBURBAN
ZONING: MPD (PRIVATE PRESERVE)
VACANT



FLU: OUTLYING
SUBURBAN
ZONING: AG-2
SINGLE-FAMILY &
AGRICULTURAL

STATE ROAD 31/BABCOCK RANCH RD.
(ARTERIAL)

610'±
TO MPD
ACCESS

250'±

FLU: RURAL
ZONING: AG-2
SINGLE-FAMILY

80'±

FLU: RURAL
ZONING: AG-2
VACANT

904'±
18031/041 SR-31
ACCESS

TRACT "A"
1.16± AC

TRACT "B"
1.08± AC

TRACT "C"
1.41± AC

R.O.W. TRACT
1.20± AC

TRACT "G"
1.02± AC

TRACT "F"
1.20± AC

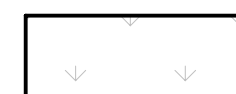
TRACT "E"
1.43± AC

TRACT "D"
1.38± AC

FLU: OUTLYING SUBURBAN
ZONING: AG-2
VACANT

100' DRAINAGE EASEMENT
O.R. 4024 P 2387

LEGEND:



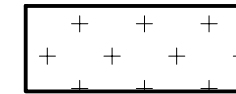
= WETLAND PRESERVE (INDIGENOUS) = 2.87± AC.



= WETLAND PRESERVE (NON INDIGENOUS) = 0.91± AC.



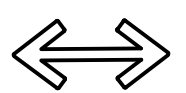
= COMPENSATING STORAGE = 0.65± AC.
INCLUDING 0.35± AC. WETLAND CREATION



= UPLAND BUFFER/BERM



= DEVIATION



= ACCESS POINTS

NOTES:

1. SITE AREA: 16.81± AC.
2. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION DUE TO REGULATORY AGENCY PERMITTING REQUIREMENTS.
3. ALL AREAS AND INTERNAL ACCESS POINTS ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER.
4. MAXIMUM HEIGHT 45 FEET.
5. SERVICE AREAS MUST BE LOCATED AND SHIELDED CONSISTENT WITH LDC SECTION 10-610 UNLESS A DEVIATION IS REQUESTED.

MASTER CONCEPT PLAN - OPTION #1

SINGLETARY CPD

LEE COUNTY, FLORIDA

STEVE SINGLETARY

PREPARED FOR:

NO.	DATE	REVISION DESCRIPTION	BY
1	3/1/2025	1st SUFFICIENCY	SEH

811
Know what's below.
Call before you dig.

ALL UTILITIES ARE SHOWN BASED ON THE INFORMATION AVAILABLE TO THE ENGINEER. THERE IS NO GUARANTEE ALL UTILITIES ARE SHOWN OR THAT THE LOCATION, DEPTH, AND SIZE OF EACH FACILITY IS CORRECT. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES AND SERVICE LINES PRIOR TO CONSTRUCTION.

DRAFTED BY: JLS	DESIGNED BY: TRL	REVIEWED BY: SEH
PROJECT NUMBER: 24003215	COMPLETION DATE: 10/28/2024	SURVEY DATUM:
BOOK AND PAGE:		
SHEET		

S:\Users\jacob\OneDrive\24003215 - Regulatory\005 - 18205 ST 3112B-31 OPEN SPACE - OPTION #1 3-1-2025.dwg, 3/1/2025 5:20:15 PM, JORGE SANCHEZ, ATWELL, LLC

FLU: RURAL
ZONING: AG-2
SINGLE-FAMILY

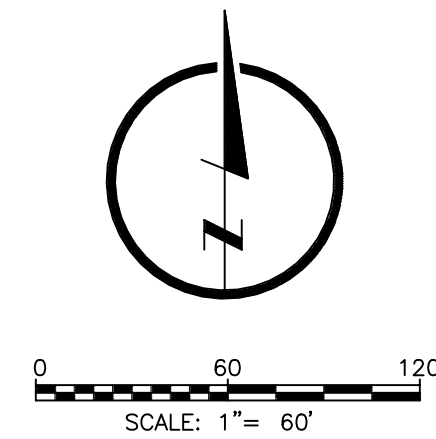
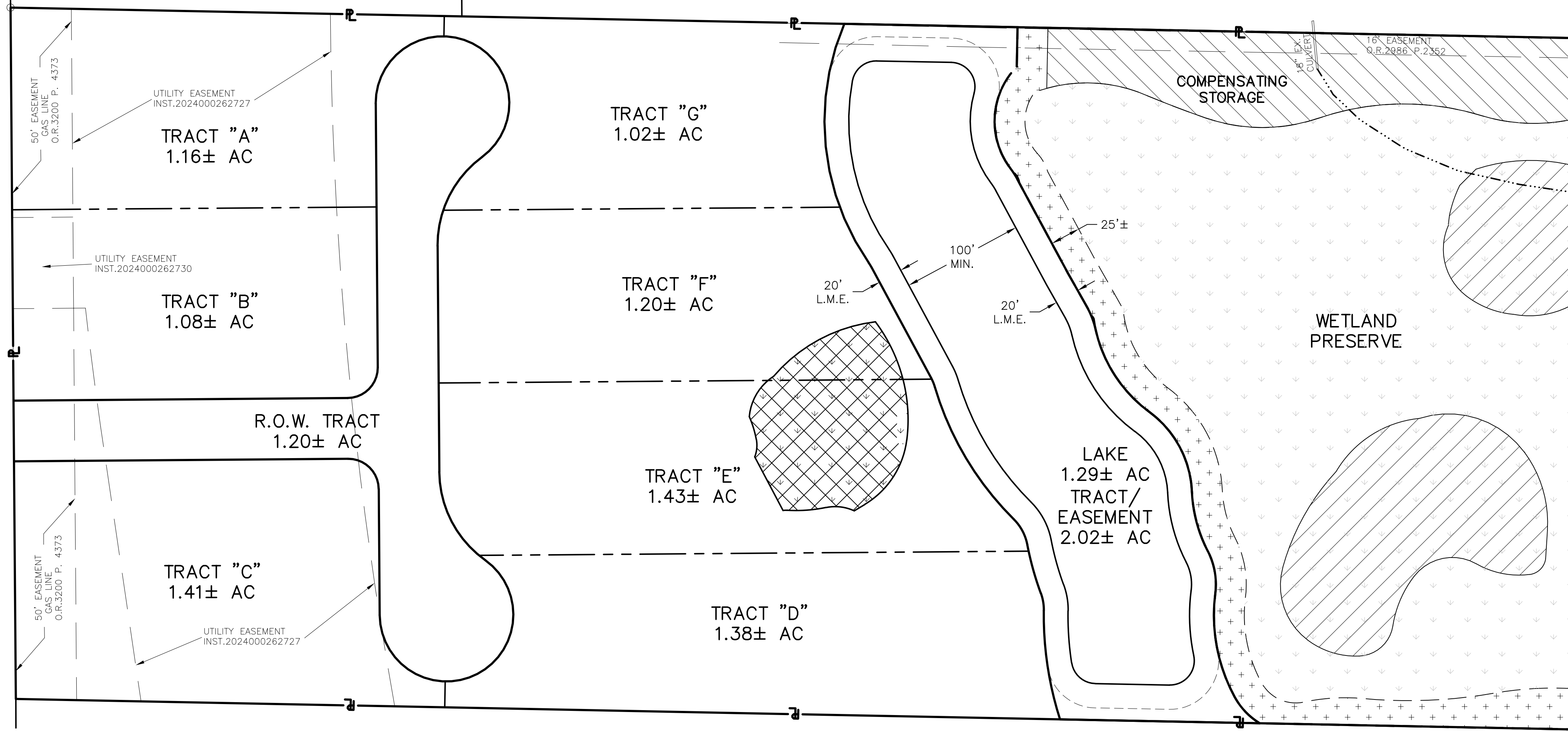
FLU: RURAL
ZONING: AG-2
SINGLE-FAMILY

FLU: RURAL
ZONING: AG-2
VACANT

STATE ROAD 31/BABCOCK RANCH RD.
(ARTERIAL)

FLU: OUTLYING SUBURBAN
ZONING: MPD (COMMERCIAL)
VACANT

FLU: OUTLYING SUBURBAN
ZONING: MPD (PRIVATE PRESERVE)
VACANT



FLU: OUTLYING
SUBURBAN
ZONING: AG-2
SINGLE-FAMILY &
AGRICULTURAL

LEGEND:

- = WETLAND PRESERVE (INDIGENOUS) = 2.87± AC.
- = WETLAND PRESERVE (NON INDIGENOUS) = 0.91± AC.
- = COMPENSATING STORAGE = 0.65± AC.
INCLUDING 0.35± AC. WETLAND CREATION
- = UPLAND BUFFER/BERM
- = WETLAND IMPACT = 0.35± AC.

FLU: OUTLYING SUBURBAN
ZONING: AG-2
VACANT

100' DRAINAGE EASEMENT
O.R. 4024 P 2387

OPEN SPACE TABLE

OPEN SPACE REQUIRED: 30% OF 16.81± AC. OR 5.04± AC

INDIGENOUS REQUIRED: 50% OF OPEN SPACE OR 2.52± AC

INDIGENOUS PROVIDED: 2.87± AC.

NON-INDIGENOUS PRESERVE 0.91± AC.
COMPENSATING STORAGE = 0.65± AC.
OTHER OPEN SPACE PROVIDED (LAKE, BUFFERS ETC.) MINIMUM 0.61 AC.

TOTAL OPEN SPACE PROVIDED: MINIMUM 5.04 AC.



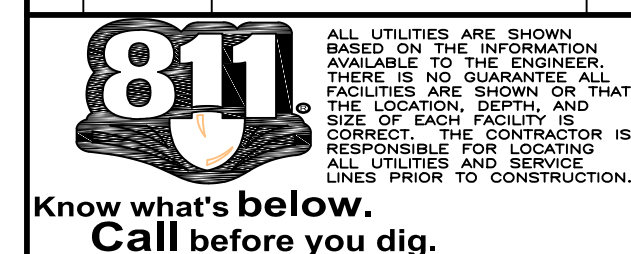
OPEN SPACE & EASEMENT EXHIBIT - OPTION #1

SINGLETARY CPD

LEE COUNTY, FLORIDA

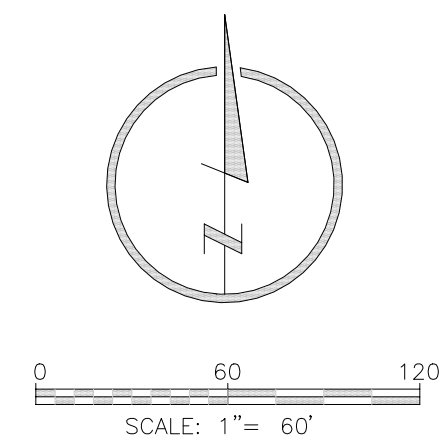
STEVE SINGLETARY

NO.	DATE	REVISION DESCRIPTION	BY
1	3/1/2025	1st SUFFICIENCY	SEH



DRAFTED BY: JLS	DESIGNED BY: TRL	REVIEWED BY: SEH
PROJECT NUMBER: 24003215	COMPLETION DATE: 3/1/2025	SURVEY DATUM:
BOOK AND PAGE:		

SHEET



FLU: OUTLYING
SURBURBAN
ZONING: AG-2
SINGLE-FAMILY &
AGRICULTURAL

- = WETLAND PRESERVE (INDIGENOUS) = 2.87± AC.
- = WETLAND PRESERVE (NON INDIGENOUS) = 0.91± AC.
- = COMPENSATING STORAGE = 0.65± AC.
INCLUDING 0.35± AC. WETLAND CREATION
- = UPLAND BUFFER/BERM
- = DEVIATION
- = ACCESS POINT
- = *APPROXIMATE FDOT S.R.31 IMPACT AREA AND DESIGN
AND SUBJECT TO CHANGE PENDING FINALIZATION OF

100' DRAINAGE EASEMENT
O.R. 4024 P 2387

1. SITE AREA: POST S.R.31 IMPACT AREA ($16.81 \pm AC. - 3.65 \pm AC.*$) $13.16 \pm AC.$
2. THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION DUE TO REGULATORY AGENCY PERMITTING REQUIREMENTS.
3. ALL AREAS AND INTERNAL ACCESS POINTS ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER.
4. MAXIMUM HEIGHT 45 FEET.
5. SERVICE AREAS MUST BE LOCATED AND SHIELDED CONSISTENT WITH LDC SECTION 10-610 UNLESS A DEVIATION IS REQUESTED.



MASTER CONCEPT PLAN - OPTION #2

SINGLETARY CPD

LEE COUNTY, FLORIDA

STEVE SINGLETARY

NO.	DATE	REVISION DESCRIPTION	BY
1	3/1/2025	1st SUFFICIENCY	SEH

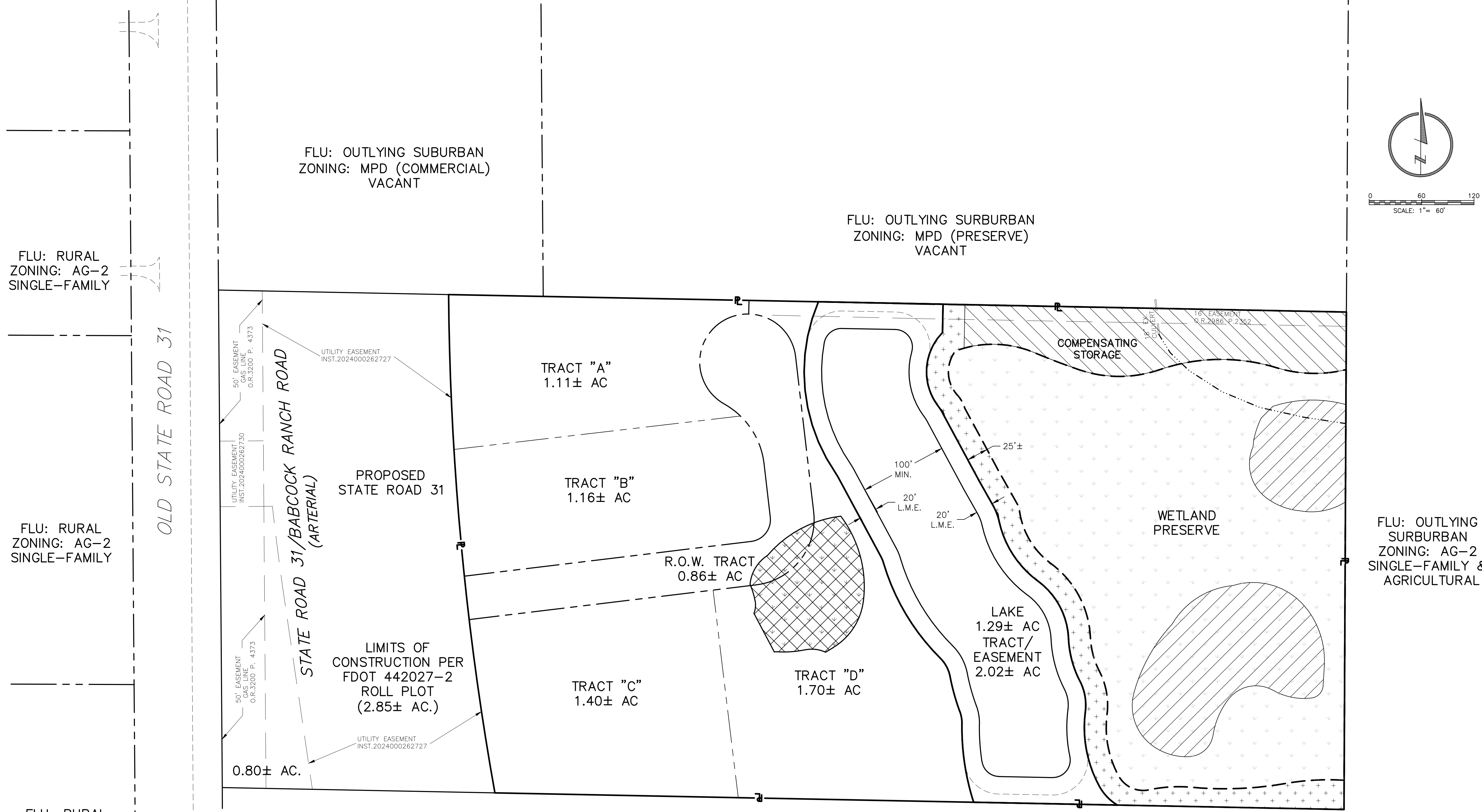
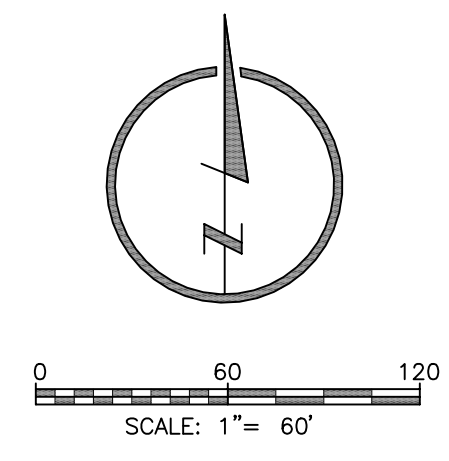


Know what's **below**.
Call before you dig.

ALL UTILITIES ARE SHOWN
BASED ON THE INFORMATION
AVAILABLE TO THE ENGINEER.
THERE IS NO GUARANTEE ALL
FACILITIES ARE SHOWN OR THAT
THE LOCATION, DEPTH, AND
SIZE OF EACH FACILITY IS
CORRECT. THE CONTRACTOR IS
RESPONSIBLE FOR LOCATING
ALL UTILITIES AND SERVICE
LINES PRIOR TO CONSTRUCTION.

DRAFTED BY: JLS	DESIGNED BY: TRL	REVIEWED BY: SEH
PROJECT NUMBER: 24003215	COMPLETION DATE: 10/28/2024	SURVEY DATUM:
BOOK AND PAGE:		
SHEET		

S:\Users\jacob\OneDrive\24003215 - Highway 005 - 10203 ST 21100-01 OPEN SPACE - OPTION #2 3-1-2025.dwg, 3/1/2025 5:30:38 PM, JORGE SANCHEZ, ATWELL, LLC



OPEN SPACE & EASEMENT EXHIBIT - OPTION #2

SINGLETARY CPD

LEE COUNTY, FLORIDA

STEVE SINGLETARY

NO.	DATE	REVISION DESCRIPTION	BY
1	3/1/2025	1st SUFFICIENCY	SEH



OPEN SPACE TABLE

OPEN SPACE REQUIRED: 30% OF 13.16± AC. OR 3.95± AC.

INDIGENOUS REQUIRED: 50% OF OPEN SPACE OR 1.98± AC

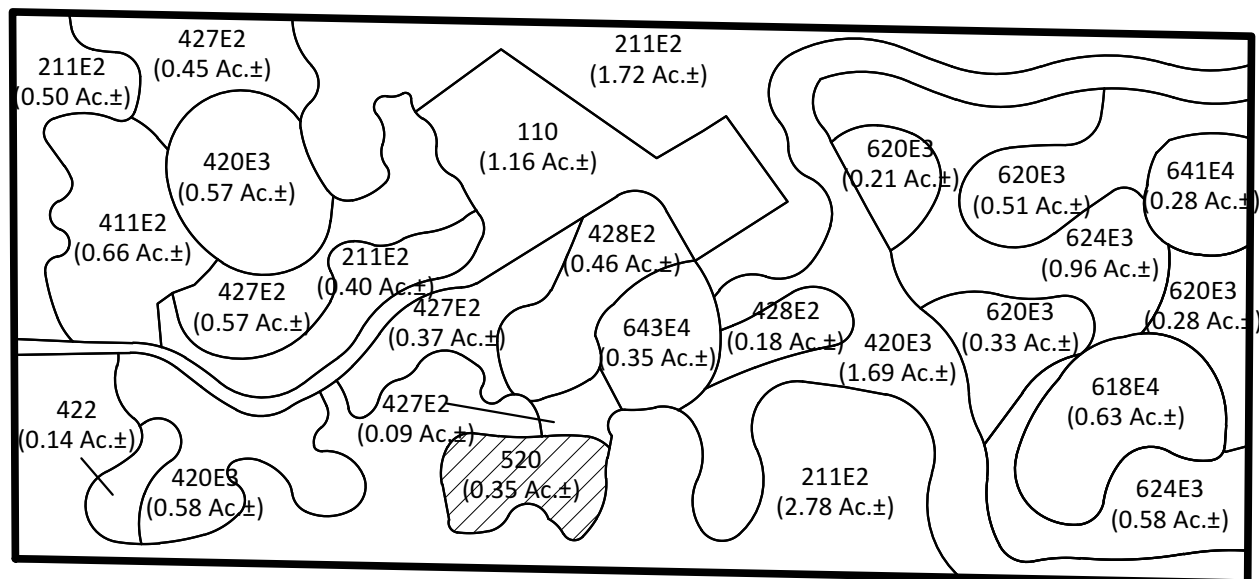
INDIGENOUS PROVIDED: 2.87± AC.

NON-INDIGENOUS PRESERVE: 0.91± AC.
COMPENSATING STORAGE: 0.65± AC.
TOTAL OPEN SPACE PROVIDED: MINIMUM 3.95 AC.

DRAFTED BY: JLS	DESIGNED BY: TRL	REVIEWED BY: SEH
PROJECT NUMBER: 24003215	COMPLETION DATE: 3/1/2025	SURVEY DATUM:
BOOK AND PAGE:		
SHEET		



Scale: 1" = 200'



FLUCFCS Table		
FLUCFCS Code	Description	Project Acreage
110	Residential	1.16
211 E2	Improved Pasture (25-49% Exotics)	5.40
411 E2	Pine Flatwoods (25-49% Exotics)	0.66
420 E3	Mixed Upland Forest (50-74% Exotics)	2.84
422	Brazilian Pepper	0.14
427 E2	Live Oak (25-49% Exotics)	1.48
428 E2	Cabbage Palm (25-49% Exotics)	0.64
520	Cow Pond	0.35
618 E4	Wax Myrtle & Willow Wetland (>75% Exotics)	0.63
620 E3	Mixed Wetland Forest (50-74% Exotics)	1.33
624 E3	Oak - Pine - Cabbage Palm (50-74% Exotics)	1.54
641 E4	Freshwater Marsh (>75% Exotics)	0.28
643 E4	Wet Prairie (>75% Exotics)	0.35
Total		16.80

Legend

Wetlands
(4.13± Ac)Surface Waters
(0.35± Ac)

NOTES:

FLUCFCS lines estimated from 1"=200' aerial photographs and locations approximated.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).

Revisions	Date:	Drawn By:	Date:
		BWS	6/12/24
		Job Number	
		S/T/R	
		18/43S/26E	

Singletary Property @ 18200 State Road 31

FLUCFCS Map

Category
FLUCFCS
Scale:
1" = 200'
County
Lee



Page
-
Exhibit
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